

Alameda County AB 109 Evaluation

AB 109 Overview and Outcomes Report



Prepared by:

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About Resource Development Associates

Resource Development Associates (RDA) is a consulting firm based in Oakland, California, that serves government and nonprofit organizations throughout California as well as other states. Our mission is to strengthen public and non-profit efforts to promote social and economic justice for vulnerable populations. RDA supports its clients through an integrated approach to planning, grant-writing, organizational development, and evaluation.





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Executive Summary

Resource Development Associates (RDA) has been working with Alameda County since February 2016 to evaluate the County's AB 109 implementation and outcomes. This report builds on previous efforts by providing an updated population overview and analysis of AB 109-funded service receipt, and by examining recidivism outcomes for individuals under probation supervision for a felony offense¹ since the enactment of Realignment.

Realignment was enacted on October 1, 2011 to transfer the responsibility of supervising specific lower-level incarcerated individuals and parolees from the state-level California Department of Corrections and Rehabilitation (CDCR) to the counties. In Alameda County, the 'Realigned Population' is defined as people charged with/convicted of low-level felony offenses, who were previously eligible to be supervised, incarcerated, or adjudicated by the state, who are now supervised, incarcerated or adjudicated by local authorities. The population consists of individuals under PRCS, individuals charged and/or resolved with an 1170(h)-eligible offense, and individuals who violate state parole.

RDA worked with the Probation Department (ACPD), the Sheriff's Office (ACSO), Behavioral Health Care Services (ACBH), the District Attorney's Office, the Community Development Agency (CDA), the Public Defender's Office, and the Information Technology Department (ITD) to obtain the data necessary to develop this report, which focuses on the following evaluation period: October 1, 2011 (the start of realignment) to December 31, 2019. Using data from these sources, RDA examined probation and jail population trends; revocation and recidivism outcomes for individuals on probation; and the impact of AB 109-funded and behavioral health services on recidivism.

Population Overviews and AB 109-Funded Service Receipt

Since the enactment of Realignment, as is consistent across the state, Alameda County has experienced a decline in the number of individuals in custody and under probation supervision. The reduction in the custodial and supervised populations since October 2011 can be attributed to a variety of factors, including statutory changes related to the passage of Proposition 47, the 2014 ballot initiative that reduced certain property and drug possession felonies to misdemeanors. The following sections summarize key findings around the jail and probation populations and AB 109-funded services since the start of Realignment.

Jail Population and In-Custody Services

In this section, RDA examined the average daily jail population since the start of Realignment, as well as the number of bookings and average lengths of stay for individuals booked on misdemeanor versus felony charges. RDA also provided a descriptive overview of some of the key in-custody and pre-sentence

¹ All references to individuals under probation supervision in this report refer to individuals on formal probation for a felony offense, including realigned individuals under Post-Release Community Supervision (PRCS), Mandatory Supervision (MS), and formal probation for an 1170(h) offense.



services available through the Sheriff's Office, District Attorney, Public Defender, and Behavioral Health Care Services.

Key Findings

- The average daily jail population has declined since the start of Realignment.
- A greater proportion of jail bookings are for misdemeanor rather than felony offenses.
- The average length of stay for felony offenses has decreased since the start of Realignment, from approximately 50 days in FY 11/12 to 31 days in FY 18/19.
- Alameda County continues to provide pre-sentencing and in-custody services funded through AB 109 to support individuals who are in custody and/or charged with a new criminal offense.

Probation Population and AB 109-Funded Services

This section assesses the number of new probation cases and the average daily probation population by caseload type (e.g. PRCS, MS, County Realigned, and Formal Probation),² as well as the number of individuals under probation supervision each fiscal year who were enrolled in AB 109-funded services, including education, employment, mentoring and reengagement, the Transition/Day Reporting Center, housing, and behavioral health services.³

Key Findings

- Since the enactment of realignment, Alameda County has experienced a decline in the number of individuals under probation supervision, from 9,818 individuals in the last quarter of 2011 to 8,236 in the last quarter of 2018.
- Beginning in 2015, a greater variety of AB 109-funded services were available to individuals under probation supervision.
- In Alameda County, AB 109-funded services tend to target higher risk populations, as evidenced by the large proportion of individuals with PRCS cases who receive services.

Recidivism Outcomes

RDA assessed recidivism outcomes for two probation cohorts. Probation Cohort 1 includes individuals with new probation case starts between October 1, 2011 and December 31, 2014. During this period, there were a limited number of AB 109-funded services online, and those that were available were in the early stages of implementation with a limited number of participants. Probation Cohort 2 includes all individuals with new probation sentences between January 1, 2015 and December 31, 2018. Beginning in

² All references to formal probation in this report are referring to individuals on formal probation for a felony offense. Individuals on formal probation for a misdemeanor offense are not included in the analyses.

³ In November 2018, Alameda County expanded eligibility for AB 109-funded services to individuals who are in pretrial status or processed through specialty courts.



January of 2015, a greater number of AB 109-funded services were available for individuals under probation supervision. Assessing Probation Cohort 2 separately from Probation Cohort 1 allows for an examination of recidivism outcomes for individuals under probation supervision more recently.

Demographic Profile

This section describes the two cohorts, including a comparison of the similarities and differences across the following criminal justice, behavioral health, and demographic characteristics: AB 109-funded service receipt, caseload types, serious mental illness (SMI) and substance use disorder (SUD) diagnoses, mental health and substance use service receipt, criminal history, age, race, and gender.

Key Findings

- Across demographic, behavioral health, and criminal justice characteristics, the two probation cohorts are mostly the same.
- Nineteen percent (19%) of individuals in Probation Cohort 2 received AB 109-funded services, compared to only four percent (4%) in Probation Cohort 1.
- Approximately one-quarter of individuals under probation supervision have been diagnosed with SMI and/or SUD.

Revocation Outcomes

In this section, RDA examined revocation rates for each cohort to explore revocation trends over time, as well as the impacts of probation and parole violations on the County's jail population.

Key Findings

- Revocation rates have increased over time. Twenty-eight percent (28%) of individuals in Probation Cohort 1 were revoked, compared to 41% of individuals in Probation Cohort 2.
- A greater proportion of the PRCS population was revoked in Probation Cohort 1 compared to other caseload types. In Probation Cohort 2, revocation rates across caseload types were similar.
- Since the start of Realignment, jail bookings for probation violations have increased over time; however, the average lengths of stay for these violations have declined.

Recidivism Outcomes

This section measures recidivism outcomes for each cohort across several factors potentially associated with recidivism, including AB 109-funded service receipt, caseload types, SMI and SUD diagnoses, mental health and substance use service receipt, criminal history, age, race, and gender.

Key Findings

- Probation Cohort 2 had slightly lower recidivism rates (38%) than Probation Cohort 1 (40%).



- From 2015 to 2018, one-year recidivism rates dropped substantially, from 21% for individuals who started probation in 2015 compared to 14% for individuals who started in 2018.
- Individuals with SMI, SUD, and co-occurring disorders recidivated at a higher rate than other individuals under probation supervision.
- Individuals under PRCS had higher recidivism rates than other caseload types, as did individuals with more extensive and serious criminal histories, and those who were younger; men and women had similar recidivism rates.

AB 109-Funded Services and Recidivism

RDA utilized inferential analyses (i.e., logistic regression and survival analysis) to examine associations between AB 109-funded service receipt and recidivism while accounting for other factors associated with recidivism such as probation caseload type, criminal history, age, race, gender, and SMI or SUD diagnoses.

Key Findings

- Individuals who received AB 109-funded services were less likely to recidivate than individuals who did not receive these services.
- Individuals who received AB 109-funded services recidivated at a slower rate than individuals who did not receive these services.

Mental Health Services and Recidivism

Similar to the previous section, RDA examined associations between mental health service receipt and recidivism for all individuals under probation supervision with a diagnosed SMI, while accounting for their probation caseload type, criminal history, age, race, gender, and SUD diagnoses.

Key Findings

- Individuals diagnosed with SMI who received mental health services through ACBH were less likely to recidivate than individuals who did not receive those services.
- Individuals diagnosed with SMI who received mental health services through ACBH recidivated at a slower rate than individuals who did not receive these services.

Substance Use Services and Recidivism

RDA also analyzed associations between substance use service receipt and recidivism for all individuals under probation supervision diagnosed with SUD, while accounting for their probation caseload type, criminal history, age, race, gender, and serious mental illness diagnoses.

Key Findings

- Individuals diagnosed with SUD who received substance use services through ACBH were less



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likely to recidivate than individuals who did not receive those services.

- Individuals diagnosed with SUD who received substance use services through ACBH recidivated at a slower rate than individuals who did not receive these services.



Introduction

Resource Development Associates (RDA) has been working with Alameda County since February 2016 to evaluate the County's AB 109 implementation and outcomes. To date, RDA has worked with Alameda County on the following AB 109-related efforts:

- Development of a comprehensive evaluation plan;
- An assessment of the County's data capacity to measure AB 109 Realignment implementation and outcomes;
- An overview of the County's Realigned populations and AB 109-funded service receipt; and
- An evaluation of the County's implementation of its AB 109-funded system of services.

This report builds on those efforts by providing an updated population overview and analysis of AB 109-funded service receipt, and by examining recidivism outcomes for individuals on formal probation for a felony offense, including realigned individuals under Post-Release Community Supervision (PRCS), Mandatory Supervision (MS), and formal probation for an 1170(h) offense.⁴

Organization of the Report

The report begins with a brief *Realignment Overview* and description of *Alameda County's Realigned Population*, followed by an overview of the *Methodology*, and *Considerations and Limitations* of the report. The findings are broken down into two main sections: 1) *Population Overview and AB 109-Funded Service Receipt* and 2) *Recidivism Outcomes*. The report concludes with a discussion of system level progress in the *Discussion* section.

Realignment Overview

Realignment was enacted on October 1, 2011 to transfer the responsibility of supervising specific lower-level incarcerated individuals and parolees from the state-level California Department of Corrections and Rehabilitation (CDCR) to the counties. The bill was passed in response to the United States Supreme Court's decision in *Brown vs. Plata*, which ordered California to reduce its prison population to no more than 137.5% of design capacity within two years because conditions of confinement were unconstitutional due to severe overcrowding, adversely affecting health care and other services across California's prisons. Specifically, the bill realigned three major areas of the criminal justice system. Realignment:

- ❖ Transferred the responsibility for individuals incarcerated for specified non-violent, non-serious, non-sex offenses from state prison to local county jail and provided for an expanded role of post-release supervision, known as Mandatory Supervision (MS), for these individuals;
- ❖ Transferred the responsibility for post-release supervision of individuals incarcerated in state prisons for specified non-violent, non-serious, non-sex offenses from the state to the county by

⁴ All references to formal probation in this report are referring to individuals on formal probation for a felony offense. Individuals on formal probation for a misdemeanor offense are not included in the analyses.



creating Post Release Community Supervision (PRCS) as a new category of county-level supervision; and

- ❖ Shifted the responsibility for processing certain parole revocations from the state Board of Parole Hearings to the Superior Court, District Attorney's Office, and the Public Defender's Office; also shifted the responsibility for housing revoked supervision clients affected by the above changes from CDCR to county detention facilities.

In addition to transferring the responsibility of housing and supervising realigned populations from the state to the county, Realignment also required that 1) counties' Community Corrections Partnership (CCP) oversee the implementation of the bill; and 2) counties use AB 109 funding to build partnerships with local health and social service agencies and community-based organizations. These partnerships aimed to facilitate the successful re-entry and reintegration of realigned individuals into the community and to reduce the likelihood of recidivism.

Alameda County's Realigned Population

As noted on the Alameda County Probation Department's website:⁵

The 'Realigned Population' is defined as people charged with/convicted of low-level felony offenses, who were previously eligible to be supervised, incarcerated or adjudicated by the state, who are now supervised, incarcerated or adjudicated by local authorities. Defining who comprises the realigned population is necessary to set funding parameters and drive effective corrections and re-entry policy.

The population consists of:

1. *Post-Release Community Supervision (PRCS).* Individuals released from prison for non-serious and non-violent offenses, and are not classified as high-risk sex-offenders, who will no longer be supervised by state parole but will instead be supervised by local probation agency under PRCS.
2. *Individuals charged and/or resolved with an 1170(h)-eligible offense.* If a custody sentence is imposed those individuals will no longer be sent to state prison but will instead be sentenced to serve their time in county jail or local prison. If they are not sentenced to local prison they will be supervised by the probation department under traditional probation. If they are sentenced to local prison they will receive no supervision or be placed on mandatory supervision to be supervised by the probation department (also known as a split sentence).
3. *Parole Violators.* Individuals who violate their state parole will no longer be adjudicated by state authorities but will instead be adjudicated in local courts.

Other California counties define their realigned population as individuals *sentenced* under the new PC 1170(h) sentencing option created through Realignment as well as the PRCS population and parolees,

⁵ Alameda County Probation Department. (n.d.). Definition of realigned population. Retrieved from <https://www.acgov.org/probation/documents/DefinitionofRealignedPopulation3-18-13final.doc>



excluding those serving life terms, who violate the terms of their parole. In addition to these three populations, Alameda County includes in their realigned population:

- ❖ **All individuals eligible to be sentenced under the new PC 1170(h) option, including those who, under Penal Code Section 1170(h)(4), were sentenced to traditional county jail and felony probation sentences, or were diverted into alternative programs or collaborative courts.**

At the time of data collection for previous reports, the County was unable to measure all realigned populations due to limitations resulting from the implementation of the Court’s Odyssey case management system. However, through collaboration between Probation, the District Attorney’s (DA) office, and Information Technology Department (ITD) the County was able to identify felony probation cases in which an 1170(h) offense was committed (these cases are referred to as “County Realigned” in this report). In the section below, we describe how these data are used in this report.

Methodology

Data Sources

RDA worked with the Probation Department (ACPD), the Sheriff’s Office (ACSO), Behavioral Health Care Services (ACBH), the District Attorney’s Office, the Community Development Agency (CDA), the Public Defender’s Office, and the Information Technology Department to obtain the data necessary to develop this report, which focuses on the following evaluation period: **October 1, 2011 (the start of realignment) to December 31, 2019.**⁶ There were some challenges obtaining all necessary data for this report, and working with multiple County departments to collect the necessary data for this evaluation was a long process. Because of this, some of the data is from varying time periods. Certain services also became available at different times; therefore, the start dates vary across some programs.

Table 1 below identifies all data sources and key measures used to develop this report.

Table 1. Data Elements for AB 109 Evaluation, by County Department/Agency

Data Source	Key Measures
Behavioral Health Care Services Department	
Behavioral Health Care Services	<ul style="list-style-type: none"> • Serious mental illness diagnosis and service data • Substance use disorder diagnosis and service data
Care and Case Management Services	<ul style="list-style-type: none"> • Individuals receiving services
Access Line	<ul style="list-style-type: none"> • Individuals receiving services
CenterPoint Criminal Justice Case Management	<ul style="list-style-type: none"> • Individuals receiving services
In-Custody Adult Forensic Behavioral Health Program	<ul style="list-style-type: none"> • Individuals receiving services

⁶ Probation population snapshot data is from March 31, 2020; Early Intervention Court data reflect services received through April 2020.



Contracted Service Providers	
Education – Five Keys	<ul style="list-style-type: none"> • Individuals served by Education Services • Enrollment status of all service recipients
Employment	<ul style="list-style-type: none"> • Individuals enrolled in Employment Services
Mentoring and Reengagement – For Us By Us	<ul style="list-style-type: none"> • Individuals served by Mentoring and Reengagement Services • Enrollment status of all service recipients
Transition/Day Reporting Center (T/DRC) ⁷	<ul style="list-style-type: none"> • Individuals served by T/DRC • Enrollment status of all service recipients
Community Development Agency	
Realignment Housing Project (RHP)	<ul style="list-style-type: none"> • Individuals served by RHP Services
Men of Valor (MOVA)	<ul style="list-style-type: none"> • Individuals served by MOVA services • Shelter bed nights
District Attorney’s Office	<ul style="list-style-type: none"> • Individuals enrolled in Early Intervention Court • Individuals enrolled in Alameda County Justice Restoration Project
Information Technology Department (ITD)	<ul style="list-style-type: none"> • Criminal history data • Revocation data • Sentencing data
Probation Department	<ul style="list-style-type: none"> • Demographic characteristics • Supervision start and end dates • Supervision type (e.g., Formal, PRCS, MS)
Public Defender’s Office	<ul style="list-style-type: none"> • Individuals receiving services from AB 109-funded social workers
Sheriff’s Office	<ul style="list-style-type: none"> • Booking data • Individuals served by Operation My Home Town

Analytic Methods

Population Overview and AB 109-Funded Service Receipt

Probation Population Overview: At the onset of data collection, RDA requested data from ACPD on all individuals under probation supervision since the start of Realignment (October 1, 2011) through December 31, 2018.⁸ RDA then worked with ITD to identify which of these cases included a conviction for an 1170(h) offense. This allowed RDA to identify all cases that were eligible to be sentenced under PC 1170(h), referred to as “County Realigned” in this report. Using these data, RDA assessed all new probation cases and the average daily probation population, by caseload type (e.g. PRCS, MS, County Realigned, and Formal Probation). RDA also received a probation population snapshot to reflect their census on March 31, 2020, and to report on the demographic characteristics of the County’s probation population.

⁷ The T/DRC has been renamed the Center of Re-Entry Excellence (CORE).

⁸ All references to individuals under probation supervision in this report refer to individuals on formal probation for a felony offense, including realigned individuals under Post-Release Community Supervision (PRCS), Mandatory Supervision (MS), and formal probation for an 1170(h) offense.



Sheriff's Office Jail Bookings and Population Overview: RDA requested booking data from the Sheriff's Office to examine the jail population since the start of Realignment. RDA utilized these data to examine the average daily jail population since the start of Realignment, as well as the number of bookings and average lengths of stay for individuals booked on misdemeanor versus felony charges, as well as for probation and parole violations.

AB 109-funded Service Receipt: Service data was provided by several departments within the County. RDA used service data provided by Probation to identify the number of individuals under probation supervision each fiscal year who were enrolled in a number of AB 109-funded services,⁹ including education, employment, mentoring and reengagement, and Transition/Day Reporting Center (T/DRC) services. Service providers shared service data directly with ACPD, who subsequently shared it with RDA.¹⁰ RDA also used service data from the CDA to identify the number of individuals under probation supervision each fiscal year who were enrolled in AB 109-funded housing services, as well as the District Attorney, the Public Defender, and the Sheriff's Office to examine individuals served by the Early Intervention Court (EIC) and the Alameda County Justice Restoration Project (ACJRP), Public Defender's Office social workers, and Operation My Home Town (OMHT), respectively. ACPD publishes an annual report on its website with more detailed information on AB 109-funded services.¹¹

Behavioral Health Care Services: Service data was provided by ACBH to identify the number of individuals who received AB 109-funded behavioral health screening and services (e.g., Care and Case Management services, the ACCESS line, CenterPoint Criminal Justice Case Management services, and the In-Custody Adult Forensic Behavioral Health Program). In addition, RDA requested data from ACBH to identify all individuals diagnosed with serious mental illness (SMI) and/or substance use disorder (SUD), and service data to identify whether they received behavioral health services while under probation supervision. These data are used in the recidivism analysis, described in greater detail below.

Recidivism Analysis

As noted above, RDA used data from ACPD to identify all individuals under probation supervision between October 1, 2011 and December 31, 2018. RDA divided these individuals into two cohorts – Cohort 1 and Cohort 2 – to examine recidivism outcomes. Cohort 1 includes all individuals with a probation sentence after the start of Realignment (October 1, 2011) through December 31, 2014. During this period there were a limited number of AB 109-funded services and those that were available were in the early stages of implementation with a very limited number of participants. Cohort 2 includes all individuals with new probation sentences between January 1, 2015 and December 31, 2018. Beginning in January of 2015, a greater number of AB 109-funded services were available for individuals under probation supervision. Also, examining Cohort 2 separately allowed RDA to assess recidivism outcomes for individuals placed

⁹ In November 2018, Alameda County expressly expanded eligibility for AB 109-funded services to individuals who are in pretrial status or processed through specialty courts.

¹⁰ Data in the AB 109-Funded Service Receipt section of this report on number served or enrolled per fiscal year for each service was provided by ACPD in their Annual Reports.

¹¹ Probation reports can be accessed at <https://www.acalert.org/probation/realignment.htm>.



under probation supervision most recently.¹² RDA received data from ITD to measure new convictions and revocations through December 2019.

Defining Recidivism Measures Utilized in this Report

The passage of AB 109, and the consequent focus on reducing recidivism among individuals currently or formerly involved in the criminal justice system, underscored the need for a common definition of recidivism that could be shared across the State of California. In January 2014, under the mandate of AB 1050, the Board of State and Community Corrections (BSCC) embarked on an 11-month process to define recidivism so that all 58 California counties could have a common measure by which to evaluate the effectiveness of community corrections interventions. After soliciting input from diverse stakeholders across the state, the BSCC settled on the following definition:

Adult Recidivism Definition

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.

Despite selecting this as the statutorily prescribed definition of recidivism, the BSCC also noted that a range of other supplemental measures may be useful as “measures of offender outcomes.” Along these lines, this report addresses several indicators of recidivism, specifically 1) convictions for new criminal offenses one, two, and three years after starting supervision, and 2) revocations one, two, and three years after starting supervision. These measures are described in greater detail below.¹³

New Criminal Convictions: Using the BSCC definition of recidivism, RDA identified all individuals with a new criminal conviction within three years of starting probation. RDA also calculated one and two-year recidivism rates to assess recidivism trends over time. New criminal convictions were identified based on the date of the initial arrest because it generally takes weeks or months after an incident occurs for the adjudication process to conclude, and RDA sought to identify all incidents that occurred within three years of starting probation.¹⁴

¹² Some individuals may be included in both cohorts. For example, an individual may have been convicted of a crime in January 2012 and placed on probation during the Cohort 1 period. Then, in a separate incident, the same individual may have been convicted of a new criminal offense in January 2018 and placed on probation again during the Cohort 2 period. This individual would be included in the recidivism analyses for both cohorts.

¹³ The BSCC definition of recidivism does not include probation violations that are filed in lieu of new charges. However, the BSCC encourages counties to evaluate measures of recidivism beyond this definition. Along these lines, one measure of recidivism that Alameda County justice partners utilize is a conviction for a new felony or misdemeanor, or a probation violation found true in lieu of new charges, that was committed within three years of release from custody or placement on supervision for a previous criminal conviction. At the time of this report, as a result of the Court’s conversion to the Odyssey Case Management System, Alameda County ITD was unable to provide reliable data on whether probation violations were filed in lieu of new charges or for a technical violation. Therefore, this measure of recidivism is not included in this report. Using this measure would change the recidivism rate since it is a broader definition.

¹⁴ RDA utilized arrest date as a proxy for offense date, since these data were not available from ITD.



Revocations: A revocation occurs when the court finds that an individual has violated the conditions of his or her probation, mandatory supervision, or post-release community supervision. At that point, the individual’s probation term is paused or stopped, and they can be issued a sanction such as additional probation time, a fine, a mandate to attend a counseling or treatment program, and/or jail time. Probation is then typically reinstated, sometimes with additional time to serve under probation supervision or new conditions. In some cases, probation may be terminated as a result of a probation violation.¹⁵ RDA used the petition filing date to calculate one, two, and three-year revocation rates for Cohort 1 and Cohort 2. A limitation of this analysis is that we were unable to receive reliable data indicating whether revocations were initiated for a technical violation or in lieu of new charges for a new criminal offense. The County’s ITD has not been able to extract reliable data on whether revocations were filed by the DA’s Office or Probation, or whether they were filed for technical violations or in lieu of new charges for a new criminal offense since the Court’s conversion to the Odyssey Case Management System.

Descriptive Statistics and Inferential Analysis

RDA utilized descriptive statistics to measure recidivism outcomes across a number of factors potentially associated with recidivism, including AB 109-funded service receipt, caseload type, SMI and SUD diagnoses, mental health (MH) and substance use service receipt, criminal history, age, race, and gender. After developing a descriptive overview of recidivism outcomes, RDA conducted inferential analyses to isolate the effects of specific factors on recidivism outcomes. RDA utilized two statistical evaluation techniques, logistic regression and survival analysis, that are widely used and accepted for analyzing recidivism rates and isolating the effect of different factors on the likelihood and rate of recidivism.¹⁶ In particular to this analysis, these techniques estimate associations between service receipt and recidivism, while accounting for additional factors that may also have an influence, including age, gender, race, criminal history, and case type (e.g. Formal, County Realigned, PRCS, and Mandatory Supervision).

- *Logistic regression.* Logistic regression is a method for analyzing data that examines the probability of an event occurring – in this case, the probability of individuals on probation recidivating. The logistic regression results indicate the estimated probability of recidivism, controlling for additional factors including age, gender, race, criminal history, and probation caseload type. Using logistic regression, RDA estimated the probability of recidivism for individuals who participated in AB 109-funded services compared to those who did not. RDA also estimated the probability of recidivism for individuals with SMI and/or SUD diagnoses, assessing differences between those who received MH and/or SUD services versus those who did not.¹⁷
- *Survival analysis.* Survival analysis examines the amount of time it takes for a given outcome to occur. In this case, the analysis examines the amount of time from an individual’s release from custody until they recidivate. If an individual never recidivates, they are considered to have “survived” the entire timeframe under analysis. Developed in public health research (hence the

¹⁵ Cal. Penal Code § 1203.3.

¹⁶ Schmidt, P. Witte, A.D. (1988). *Predicting Recidivism Using Survival Models. Research in Criminology.* Springer.

¹⁷ Individual-level service data was available for a subset of AB-109-funded services and does not reflect the full scope of AB 109-funded services available to Alameda County’s probation population.



“survival” terminology), this is a particularly useful approach for analyzing data where different individuals can experience outcomes at different points in time (i.e., people who were under probation supervision longer had greater opportunity to recidivate). Survival analysis results reveal the rate of recidivism risk at specific points in time across comparison groups. Using survival analysis, RDA compared the rate of recidivism risk for individuals on probation who participated in AB 109- funded services to individuals on probation who did not. RDA also estimated the rate of recidivism for individuals with SMI and/or SUD diagnoses, assessing differences between those who received MH and/or SUD services versus those who did not.¹⁸

Considerations and Limitations

There are a few important limitations to consider when reviewing this report. First, data on most revocations and criminal convictions are collected by County agencies and reflect only recidivism instances that occurred within Alameda County. Therefore, recidivism rates are likely somewhat higher than what is reported here.

In addition, there are some limitations related to service receipt. First, RDA is only able to account for AB 109-funded service receipt, as well as MH and SUD service receipt. Analyses are unable to account for service receipt from other organizations that provide services in the County. Also, RDA used data on program enrollment to determine whether or not an individual received a particular AB 109-funded service. Since it is possible that individuals who enrolled in an AB 109-funded program or service did not attend regularly enough to receive the benefits associated with program completion, the analysis may underestimate the impact of some programs and services. It is also important to note that only a minority of individuals (19%) received AB 109-funded services and that the County has not consistently utilized a validated risk and needs assessment to identify the criminogenic risk and needs of individuals under their supervision,¹⁹ making it more difficult to generalize the impact of these services. In addition, a number of the individuals who received services from one provider also enrolled with other providers, making it difficult to disentangle the effect of each service provided.

Finally, the Alameda County Superior Court’s conversion to the Odyssey Court Case Management system in 2016 presented challenges with data extraction. As noted above, Alameda County has not been able to obtain reliable data on whether revocations were filed by the DA’s Office or Probation, or whether they were filed for technical violations or in lieu of new criminal offenses since the Court’s conversion to the Odyssey Case Management System. Questions also remain about the reliability of sentencing information that can be extracted from the system, especially for historical information before July 2016. As a result, RDA did not report on sentencing outcomes since the start of Realignment. The County should continue to explore these data issues so that it is possible to reliably assess sentencing outcomes and begin to understand how AB 109 Realignment has impacted sentencing practices, if at all.

¹⁸ Individual-level service data was available for a subset of AB-109-funded services and does not reflect the full scope of AB 109-funded services available to Alameda County’s probation population.

¹⁹ The Probation Department implemented the the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), a validated risk and needs assessment tool, in 2019.



Population Overviews and AB 109-Funded Service Receipt

Since the enactment of Realignment, as is consistent across the state, Alameda County has experienced a decline in the number of individuals in custody and under probation supervision. The reduction in the custodial and supervised populations since October 2011 can be attributed to a variety of factors including statutory changes related to the passage of Proposition 47, the 2014 ballot initiative that reduced certain property and drug possession felonies to misdemeanors. The sections below provide more detailed overviews of the jail and probation populations since the start of Realignment, as well as trends in AB 109-funded service receipt.

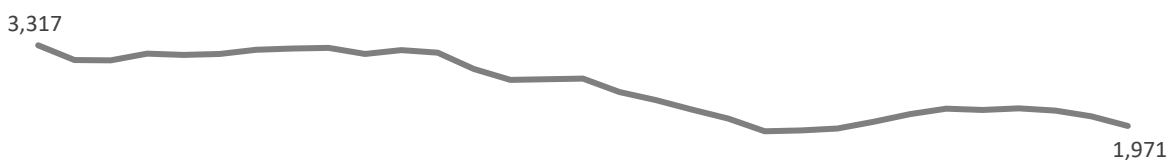
Jail Population and In-Custody Services

Key Findings: Jail Population and In-Custody Services

- The average daily jail population has declined since the start of Realignment.
- A greater proportion of jail bookings are for misdemeanor than felony offenses.
- The average length of stay for felony offenses has decreased since the start of Realignment, from approximately 50 days in FY 11/12 to 31 days in FY 18/19.
- Alameda County continues to provide pre-sentencing and in-custody services funded through AB 109 to support individuals who are in custody and/or charged with a new criminal offense.

During the study period (October 1, 2011 - December 31, 2018), the Alameda County Sheriff’s Office operated two detention and corrections facilities: the Glenn Dyer Detention Facility in Oakland and the Santa Rita Jail in Dublin.²⁰ Overall, Alameda County’s average daily jail population (ADP) has declined since the start of Realignment, from approximately 3,300 individuals in October 2011 to approximately 2,000 in June 2019 (see Figure 1).

Figure 1. Sheriff's Office Average Daily Population

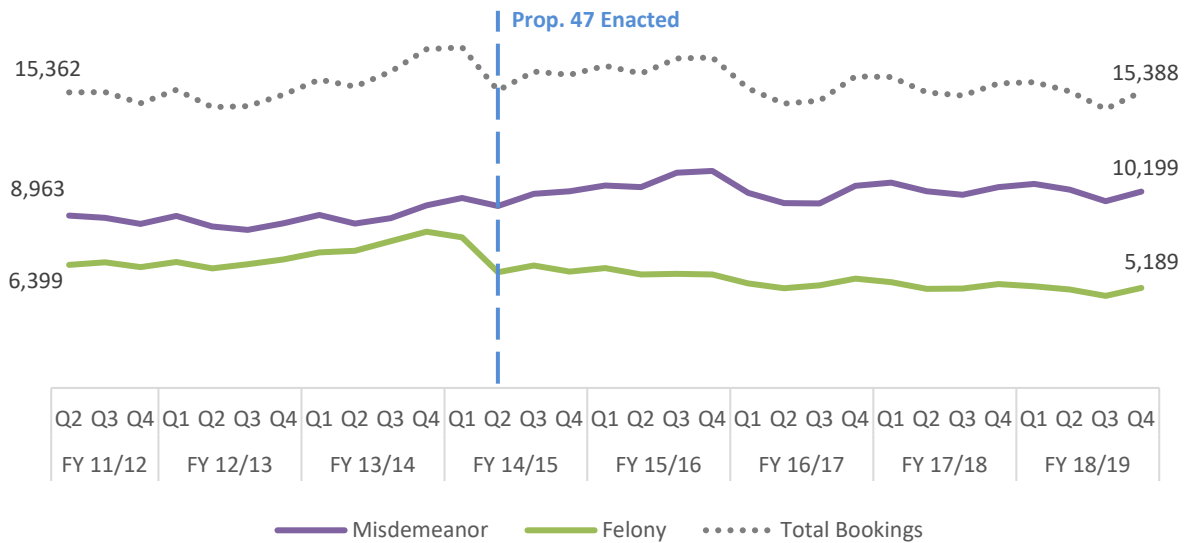


²⁰ The Glenn Dyer Detention Facility closed permanently in June 2019.



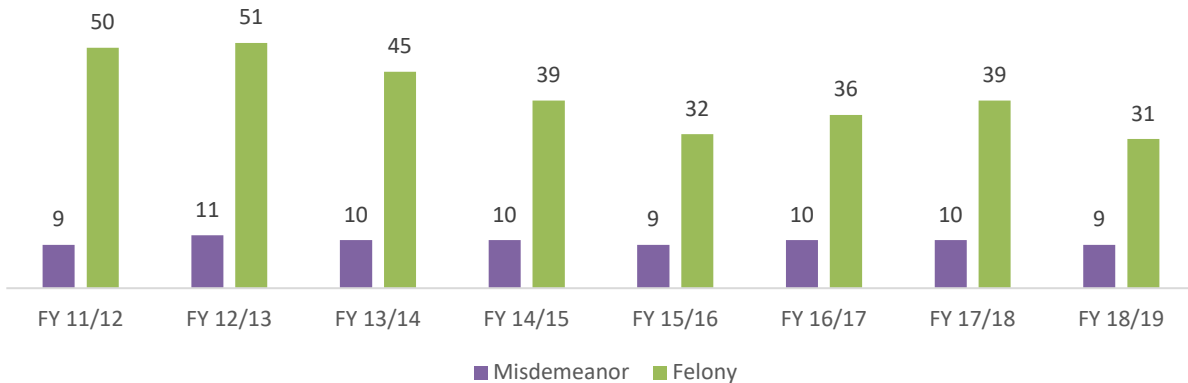
Figure 2 below suggests that Proposition 47, which was implemented in November 2014 and reclassified many non-serious felonies to misdemeanors, had a large impact in reducing the County’s average daily jail population. Since Proposition 47 was enacted, while the overall number of bookings remained relatively stable, a much greater proportion of bookings were for misdemeanor rather than felony offenses.

Figure 2. Jail Bookings by Charge Severity



Average lengths of stay for misdemeanor offenses were much shorter than average lengths of stay for felony offenses (indicated in Figure 3 **Error! Not a valid bookmark self-reference.**), which contributed to the ADP declining quite substantially from November 2014 through June 2019. In addition, lengths of stay for felony offenses decreased substantially since the start of Realignment, from approximately 50 days in FY 11/12 to 31 days in FY 18/19, which also contributed to lowering the ADP.

Figure 3. Average Length of Jail Stay in Days by Charge Severity





Pre-Sentence and In-Custody Service Receipt

Before the enactment of Realignment, Alameda County justice partners had a history of making investments in innovative programs to establish a continuum of services for individuals who came in contact with the justice system. At the front end of the justice system, Alameda County offered legal services and several specialty and diversion court options, including the Behavioral Health Court, Drug Court, Homeless Court, and Parole Re-Entry Court, to support individuals coming into contact with the justice system. These specialty courts were designed to offer alternatives to traditional sentencing and provide additional support for individuals under the court's supervision. Building on these services, Alameda County utilized AB 109 funds to develop additional services to support individuals coming into contact with the justice system. Each resource is intended to connect individuals with programs and services to address their criminogenic risks and needs, promote alternatives to custody, and ultimately improve outcomes. In addition, as part of the county-wide Re-entry Hiring Initiative and the continued investment in the community, the job classification "Program Service Worker" provides employment opportunities for those with lived experience with the criminal justice system. Many members of the CCP-EC, including the District Attorney's Office and Probation Department, have hired staff who were formerly involved with the criminal justice system and hold current positions.²¹

Early Intervention Court (EIC). Alameda County began implementing the EIC in 2016 to provide programs and services aimed at reducing recidivism for individuals facing charges who are eligible to be sentenced under PC 1170(h). The EIC is a non-statutory diversion program funded through AB 109 and is overseen by the District Attorney's Office in partnership with the Public Defender's Office, Superior Court Judges, the Probation Department, and Leaders in Community Alternatives (LCA). Through the EIC, realigned individuals are diverted from traditional sentencing and connected to appropriate services such as housing, employment, substance abuse, and/or education services based on their needs. Upon successful completion of programming, an individual's case is reduced and dismissed. Between April 2016 and April 2020, 154 individuals participated in the EIC. Of those, 70 individuals successfully graduated and had their cases reduced and dismissed, while 18 individuals were removed from the program to face traditional sentencing. The remaining 66 individuals were still enrolled in programming as of April 2020.

Alameda County Justice Restoration Project (ACJRP). In September 2017, the District Attorney's Office piloted the ACJRP, which focuses on reducing recidivism by offering an alternative to incarceration and conviction at the pretrial stage by providing a program with peer support, services, and opportunities for realigned individuals (18 to 34 years old) with prior felony records who have committed a new AB 109 felony and are determined to be at high risk of reoffending.²² The ACJRP was initiated by winning a competitive BSCC "Pay for Success" grant with BSCC funding, which is strictly conditional on the

²¹ The District Attorney's Office has hired two individuals with lived experience who work on many aspects of AB 109 programs, services, and related issues.

²² Harvard Kennedy School Governance Performance Lab helped select an optimal population to assess whether the ACJRP could significantly improve outcomes and break the cycle of recidivism, and through a professional independent evaluator the ACJRP uses statewide data from the California DOJ to measure recidivism. Arrest data is reliable statewide and is used to determine outcome differences between the randomly selected ACJRP participant group and the ACJRP control group.



demonstrated reduction of felony recidivism. Additional funding for ACJRP came from AB 109 matching funds, the Recidivism Reduction Fund, James Irvine Foundation, Nonprofit Finance Fund (NFF), and the White House Office of Innovation. The ACJRP is led by the District Attorney's Office in partnership with the Probation Department, County Administrator's Office, Sheriff's Office, Public Defender's Office, and community-based organizations. Throughout the 18-month program, participants work with nationally certified peer support specialists who provide them with direct services and navigation to other available services, and opportunities in employment, education, and housing. When individuals successfully complete the program, the new deferred entry of judgement case is dismissed. ACJRP enrollment was limited to 12 months and 154 individuals by design, with a commensurate control group to ensure the outcomes are demonstrable. The District Attorney's Office hired two AB 109 staff with lived experience and specialized skills to assist with the ACJRP and other aspects of improving realignment and reentry, such as employment, education, housing, and program innovation and development.

AB 109-Funded Social Workers. Since the start of Realignment, the Public Defender's Office has added four AB 109-funded social workers to work with realigned individuals. The social workers have served 1,215 individuals since FY 2015/2016, conducting assessments and connecting them to programs and services. For individuals assessed as having a high level of need, the social workers develop individualized case plans that they submit to the court, promoting the successful use of program and service participation as an alternative to more serious sentences, including custodial sentences. Since FY 2015/2016, AB 109-funded social workers submitted 255 individualized case plans to the court, of which 216 (85%) were accepted, resulting in alternative sentencing outcomes. In FY 2018/2019, AB 109-funded social workers submitted 41 case plans to the Court, of which 37 (90%) were accepted.

In-Custody Services

Alameda County's jail facilities provide a range of medical services, behavioral health, and other support services (e.g., education, job skills training, parenting) which are delivered by contracted providers and/or ACBH. Since the start of Realignment, the Sheriff's Office has continued to expand the availability of programs and services, including services funded through AB 109. In 2014, the Sheriff's Office, in partnership with the Probation Department, established the Transition Center at Santa Rita Jail, which is a converted space where service providers can facilitate pre-release planning for individuals who are sentenced (including individuals sentenced under PC 1170(h)), on Formal probation, or under PRCS. In addition, the Sheriff's Office contracted with Five Keys Charter School to expand and provide education services to all housing units, while also working with the Alameda County Workforce Development Board to establish an American Job Center to provide job training services to the in-custody population, including those in the realigned population.²³

Operation My Home Town (OMHT), a program offered by the Sheriff Office's Youth and Family Services Bureau (YFSB) since 2011, also provides evidence-based services for some sentenced individuals in custody, conducting validated risk and needs assessments (Level of Service/Case Management Inventory,

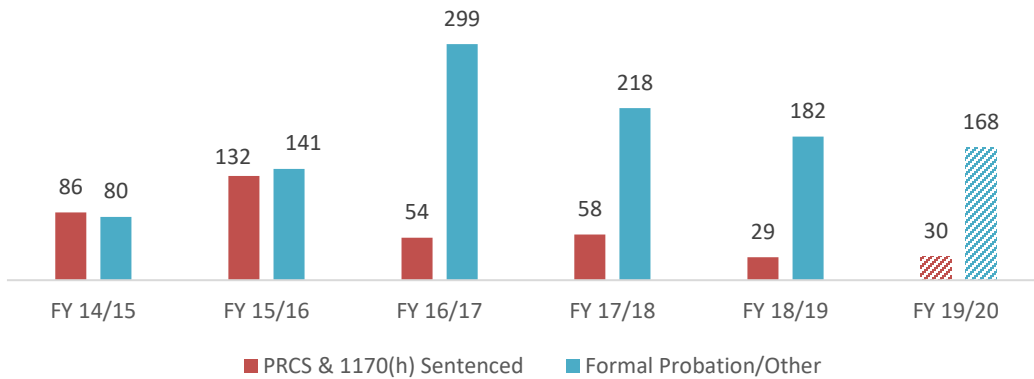
²³ These in-custody programs are not funded through AB 109.



or LS/CMI), and developing individualized re-entry plans to facilitate the provision of pre-release services and referrals for services upon release to support the custody to community transition.

Figure 4 below shows the number of individuals served by OMHT from FY 14/15 through quarter two of FY 19/20. The number of individuals served increased through FY 16/17 and has declined since that time. However, OMHT is set to serve a greater number of individuals in FY 19/20 (quarters one and two are shown below) compared to previous years.

Figure 4. Number of Individuals served by OMHT, by Fiscal Year



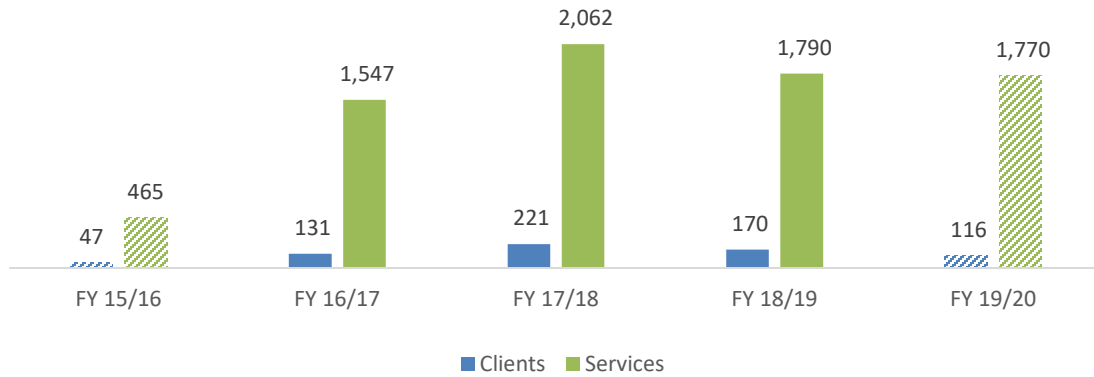
Individuals in custody also have access to behavioral health services provided by ACBH. The Case and Care Management program offers intensive case and care management services to connect individuals with SMI to resources before and after release from Santa Rita Jail. These include:

- *Bay Area Community Services (BACS) Forensic Re-Entry and Empowerment (FREE) Triage Program:* Pre-release planning and post-release case management services.
- *Benefit Enrollment Services – Bay Area Legal Aid & Homeless Action Center (HAC):* Pre-release planning and post-release benefits advocacy and enrollment (e.g., Supplemental Security Income (SSI)).
- *Re-entry Legal Services – Bay Area Legal Aid:* Legal services for low-income re-entry residents, including removal of barriers due to criminal history.
- *Success at Generating Empowerment (SAGE) Program:* Pre-release case planning and post-release case management for individuals who receive disability advocacy to achieve stabilization upon transition into the community.

Figure 5 below shows the number of individuals served and the number of services provided by Case and Care Management from February of FY 15/16 through May of FY 19/20.

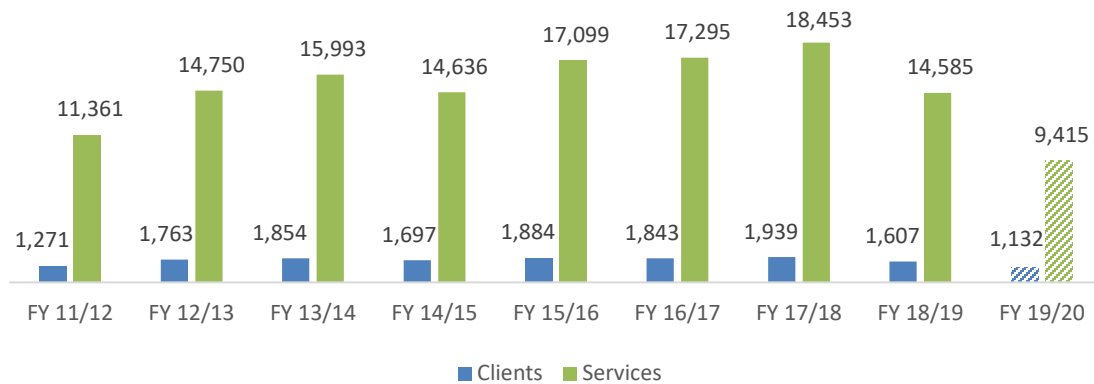


Figure 5. Number of Individuals Served and Services Provided by Case and Care Management, by Fiscal Year



ACBH, through its Adult Forensic Behavioral Health (AFBH) unit, also provides limited mental health services, including assessment, brief therapy, crisis intervention, and discharge planning to realigned individuals with mental illness while in custody at Santa Rita Jail. Figure 7 below shows the number of individuals served and the number of services provided by ACBH from FY 11/12 through May of FY 19/20.

Figure 6. Number of Individuals Served and Services Provided by Adult Forensic Behavioral Health, by Fiscal Year





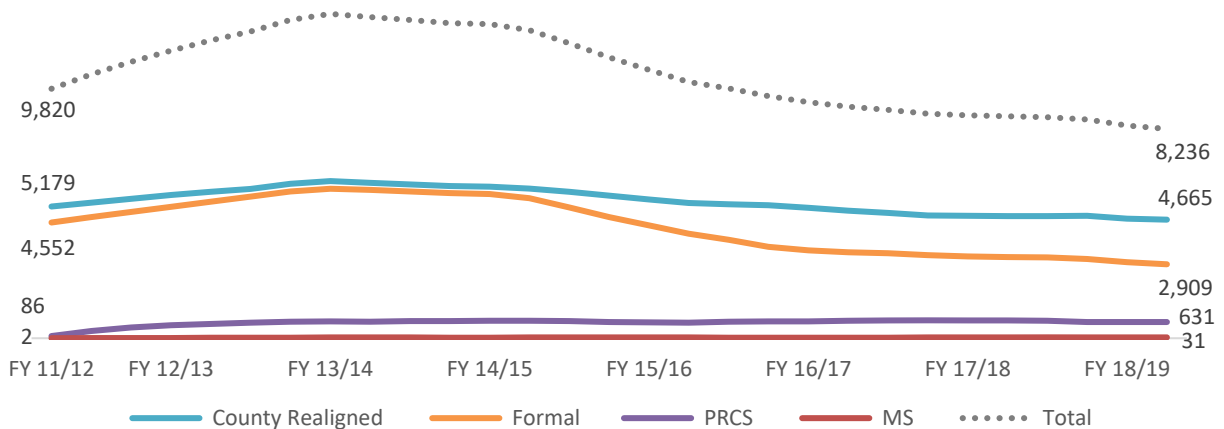
Probation Population and AB 109-Funded Service Receipt

Key Findings: Probation Population and AB 109-Funded Services

- Since the enactment of realignment, Alameda County has experienced a decline in the number of individuals under probation supervision, from 9,818 individuals in the last quarter of 2011 to 8,236 in the last quarter of 2018.
- Beginning in 2015, a greater variety of AB 109-funded services were available to individuals under probation supervision.
- In Alameda County, AB 109-funded services tend to target higher risk populations, as evidenced by the large proportion of individuals with PRCS cases who receive services.

Alameda County has experienced a decline in the number of individuals under probation supervision since the enactment of Realignment, from an average daily population of 9,818 individuals in 2011 to 8,236 in the last quarter of 2018. While the average daily number of individuals under probation supervision, including those with County Realigned cases, has declined, the proportion of individuals with County Realigned cases has increased slightly over time (53% of all probation cases were County Realigned in FY 11/12, compared to 57% in FY 18/19).

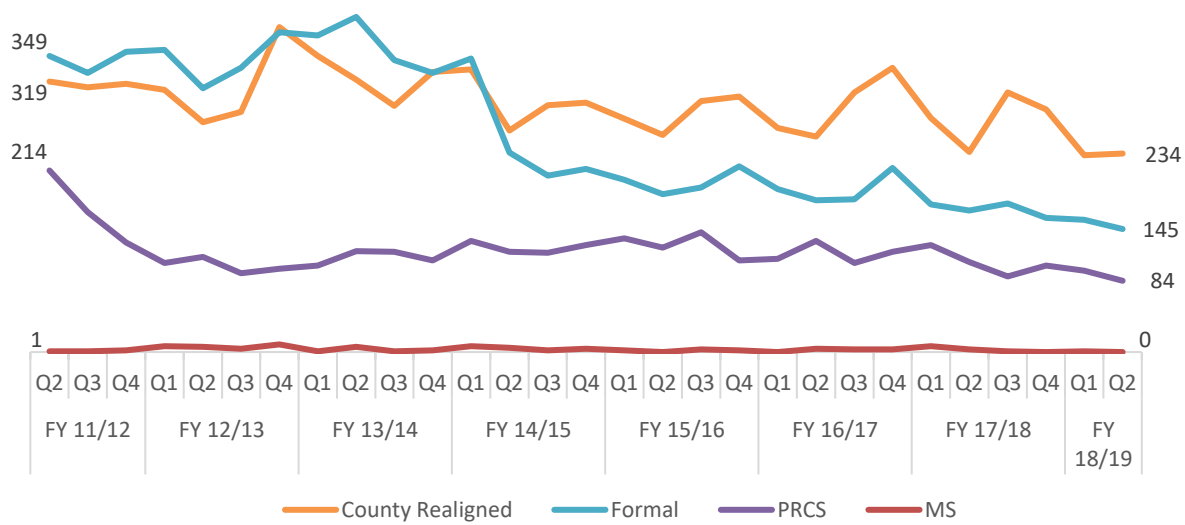
Figure 7. Average Daily Number of Individuals Under Probation Supervision



Throughout this period, the overall number of new probation cases has also decreased. After the enactment of Realignment, in quarter two of FY 11/12, there were 883 new probation cases. Formal Probation cases made up the greatest proportion of these (n=349), followed by County Realigned (n=319), PRCS (n=214), and MS (n=1) cases. In quarter two of FY 18/19, there were 463 new probation cases. Among these, the greatest proportion was County Realigned (n=234), while Formal Probation and PRCS cases comprised 145 and 84 of all new cases respectively. It is noteworthy that Alameda County utilizes the mandatory supervision sentencing option under PC 1170(h) very rarely. There was only one new mandatory supervision case start in 2011, and zero in FY 18/19 quarter two.



Figure 8. Number of New Probation Supervision Case Starts



At this time, the Probation Department was supervising 8,365 individuals, of which 7,713 were on Formal Probation, 621 were on post release community supervision (PRCS), and 31 were under Mandatory Supervision (MS). Notably, a greater proportion of the PRCS population is African American and male.

Table 2 offers a snapshot of Probation’s supervised population as of March 31st, 2020. At this time, the Probation Department was supervising 8,365 individuals, of which 7,713 were on Formal Probation, 621 were on post release community supervision (PRCS), and 31 were under Mandatory Supervision (MS). Notably, a greater proportion of the PRCS population is African American and male.

Table 2. Snapshot of Probation’s Supervised Population on March 31, 2020

	Formal N=7,713		PRCS N=621		MS N=31	
Gender						
Male	6,384	83%	589	95%	23	74%
Female	1,317	17%	32	5%	8	26%
Unknown	12	<1%	0	-	0	-
Age						
18-24	1,023	13%	53	9%	0	-
25-44	4,652	60%	397	64%	23	74%
45-64	1,799	23%	151	24%	8	26%
65+	168	2%	9	1%	0	-
Unknown	71	1%	11	2%	0	-
Race/Ethnicity						
African American	3,682	48%	359	58%	8	26%
Hispanic	1,870	24%	122	20%	4	13%
White	1,477	19%	103	17%	13	42%
Asian/Pacific Islander	522	7%	28	5%	5	16%



Other ²⁴	161	2%	9	1%	1	3%
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AB 109-Funded Service Receipt

Since 2014 Alameda County has dedicated 50% of AB 109 funding for community services to develop new programs and services at each stage in the justice process – a greater percentage than any other California county. The County has a strong network of CBOs that are focused on providing culturally competent services aligned with best practices, and the CCP draws on these organizations to support the County’s realigned population. The collaborative of CBO agencies provides cognitive behavioral health, housing, employment, and education services, among others.

The service data presented in the following sections are based on data availability and quality, which was not uniform across programs. For some services, information about the number of individuals served and their outcomes was available, while for other programs the data was limited to the number of individuals enrolled. Services also came online at different times; thus, the data reflects different time periods specific to the implementation of each program.

AB 109-Funded Service Receipt – Any Service

Between January 1, 2015 and December 31, 2018, 8,537 individuals started probation. Of those individuals, through December 31, 2019, 1,607 (19%) received one or more of the following AB 109-funded services:

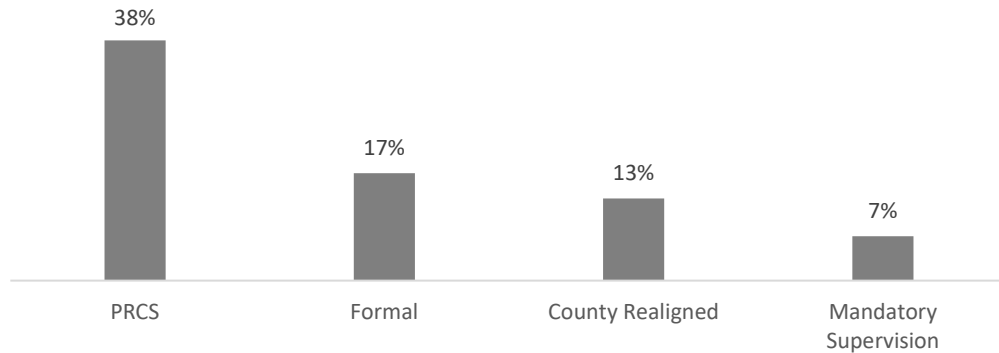
- ❖ Education
- ❖ Employment
- ❖ Mentoring and Reengagement Peer Support
- ❖ Realignment Housing Program
- ❖ Transition Day Reporting Center

Figure 9, below, illustrates the percentage of individuals, by case type, who received one or more AB 109-funded service. A much greater proportion of individuals under PRCS received services compared to those under other types of supervision, demonstrating that AB 109-funded services tend to target higher risk populations.

²⁴ Other race/ethnicity includes American Indian and Unknown.



**Figure 9. Percentage of Supervised Population (January 2015 - December 2019)
 Who Received One or More Services**



As the lead agency responsible for contracting for community services associated with Realignment, the Probation Department continues to work with the Alameda County Auditor’s Office to ensure funding is accessible to community-based organizations, as directed by the Board of Supervisors, despite having limited dedicated staffing to support contracting. For many years since Realignment, Probation has not had the contracting infrastructure and personnel in place to award the numerous contracts associated with the AB 109 funding stream; however, as the Department has continued to grow its Contracts Unit by utilizing internal savings and redirecting positions, this approach has allowed Probation to increase the number of service contracts with local providers (e.g., Higher Education, Career Technical Education, and Family Reunification Programming that came online in 2019), thereby expanding the number of individuals who can be served.

Realignment Housing Program Services

The Housing and Community Development Agency (HCD), within the Community Development Agency (CDA), oversees the County’s Realignment Housing Program (RHP). The RHP consists of housing services (e.g., emergency housing, transitional housing, wraparound case management) provided by Abode Services, the East Oakland Community Program (EOCP), Men of Valor Academy (MOVA), Bay Area Community Services (BACS), and Building Opportunities for Self-Sufficiency (BOSS). Housing services were the first AB 109-funded services to become available in Alameda County, beginning with the Berkeley Food and Housing program, which was active from the start of Realignment through November of FY 16/17, and Abode and EOCP, which began to provide services in August of FY 12/13.²⁵

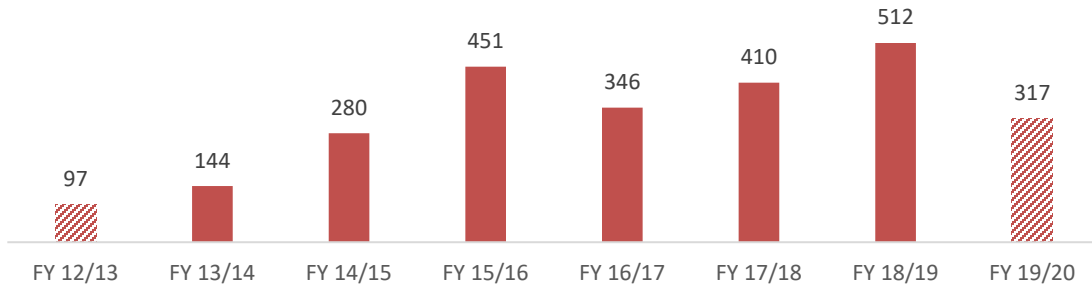
Abode and EOCP provide short-term rental subsidies, hotel/motel vouchers, and assistance with securing long-term housing, including paying for housing deposits and supporting individuals with past due rent or utility bills to prevent a loss of housing. As depicted in Figure 10, the number of individuals served by Abode and EOCP generally increased each year from FY 12/13 to FY 15/16. There was a decline in the number of individuals served during FY 16/17, followed by an increase in the following two years. Data

²⁵ Data from the Berkeley Food and Housing program were not obtained for this report.



for FY 19/20 (which only includes quarters one and two) indicate that the County is on track to meet or surpass prior service levels.

Figure 10. Number of Individuals Served by Abode and ECOP, by Fiscal Year



MOVA began providing shelter beds and on-site wraparound services to individuals experiencing homelessness in July of 2015. As shown in Figures 10 and 11, the number of individuals served peaked in FY 16/17 and has steadily declined since then, as has the number of bed nights utilized per fiscal year.

Figure 11. Number of Individuals Served by MOVA, by Fiscal Year

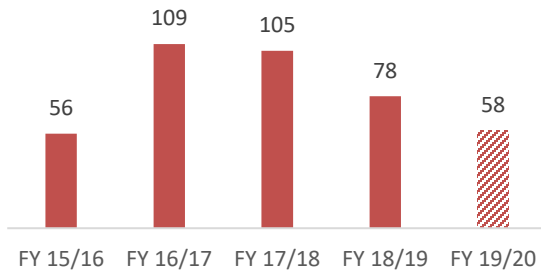
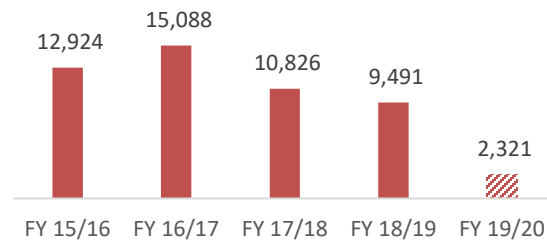


Figure 12. Number of Shelter Bed Nights, by Fiscal Year and Start Date



In July of 2019, the County introduced a new set of AB 109-funded housing services – the Hope Hotel overseen by Building Opportunities for Self-Sufficiency (BOSS) and the Holland Hotel overseen by Bay Area Community Services (BACS). The Hope Hotel offers a semi-structured program including 15 beds in a dormitory-style setting. Three meals per day are provided and individuals can remain in the program for up to 18 months. The Holland Hotel is a low threshold program that includes 10 rooms in a hotel that allows animals. There is limited programmatic structure, and individuals are assisted with finding permanent housing. One meal a day is provided and individuals can remain in the program for up to 6 months.

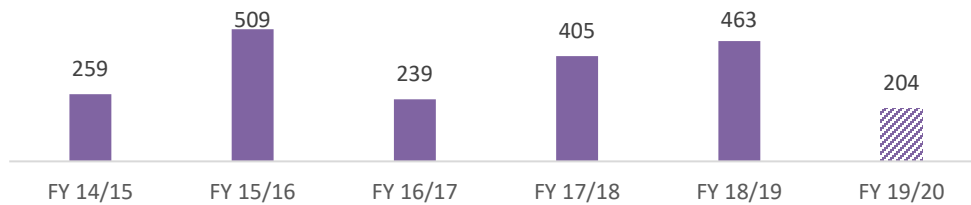
These programs served a total of 22 individuals in FY 18/19 and have already more than doubled that number (n=47) between July and December of FY 19/20.



Employment Services

Alameda County began providing AB 109-funded employment services (e.g., employability assessments, job readiness training, transitional work programs, subsidized and unsubsidized employment and job retention services) in FY 12/13. RDA received referral and enrollment data for employment services provided since FY 14/15, during which time the Oakland Private Industry Council (OPIC), the Center for Employment Opportunities (CEO), ACTS Full Gospel (ACTS), and Building Opportunities for Self-Sufficiency (BOSS) provided these services (BOSS has been the only AB 109-funded employment service provider since FY 16/17). Figure 13 demonstrates that the number of enrollments increased from FY 14/15 to FY 15/16, and then decreased in FY 16/17. In FY 17/18 and FY 18/19 enrollments continued to grow. As with other programs, data for FY 19/20 only includes quarters one and two; the number served is on track to approach prior years’ service levels.

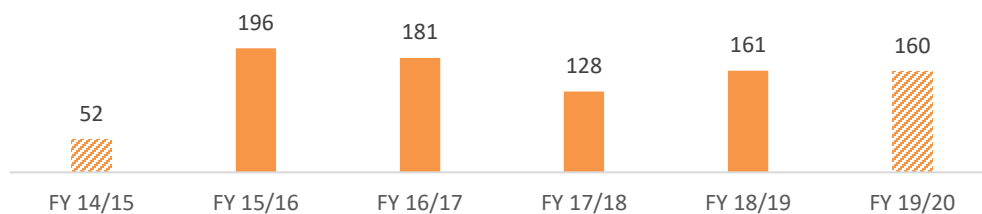
Figure 13. Number of Individuals Enrolled in Employment Services, by Fiscal Year



Transition Day Reporting Center (T/DRC)²⁶

ACPD opened the T/DRC in 2015 to provide a central hub for moderate and high-risk individuals under probation supervision to be connected to a range of services. The T/DRC is a “one stop shop” for individuals on probation where they can attend classes, be connected to services, and meet with their probation officer. The Center is contracted to serve a minimum of 100 individuals per year and maintain an active participant count of 60 individuals at a time, a target it has continually exceeded. The T/DRC began serving individuals in March 2015, towards the end of FY 14/15. From FY 15/16 through FY 18/19, the Center served between 128 and 196 unique individuals per year, with numbers on track to meet or surpass that in FY 19/20.

Figure 14. Number of Individuals Served by T/DRC, by Fiscal Year



²⁶ The T/DRC is now called the Center of Re-Entry Excellence (CORE).



Table 3 shows that since program onset, 29% of all program recipients successfully completed the program or their supervision term, 45% were terminated from the program due to disengagement, 14% were terminated due to a probation violation or new arrest, and 3% of participants had their enrollment closed for some other reason. Eight percent (8%) of participants remained enrolled in services as of December 31, 2019.

Table 3. T/DRC Enrollment Status as of December 31, 2019

Enrollment Status	N	%
Active	60	8%
Successfully Completed Program or Supervision Term	223	29%
Termination Due to Program Disengagement	345	45%
Termination Due to Probation Violation or New Arrest	109	14%
Closed for Some Other Reason ²⁷	25	3%

Five Keys Charter School Education Services

Alameda County introduced AB 109-funded education services provided in the community through Five Keys Charter School in January of FY 16/17. Services include high school/GED preparation, vocational training, and college courses. Education services did not come online until the second half of FY 16/17. Figure 15 indicates that the number of individuals served reached a peak in FY 17/18 and decreased the following year. The number served in FY 19/20 reflects data through November 2019, less than half of the year, and is on track to surpass prior service levels.

Figure 15. Number of Individuals Served by Five Keys Charter School, by Fiscal Year

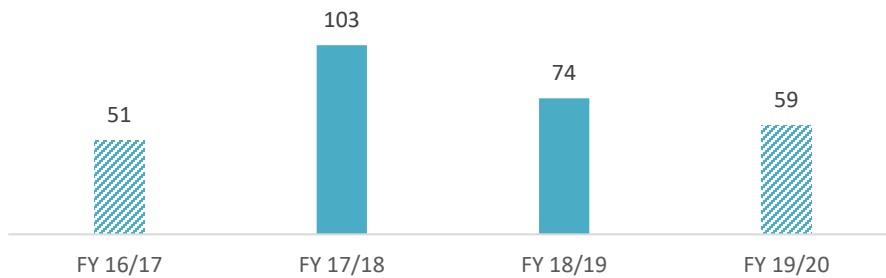


Table 4 shows that among all service recipients, as of November 30, 2019, 19% of individuals were actively receiving education services. Eight percent (8%) successfully completed the program, 67% were unsuccessfully discharged, and 5% were discharged from the program for some other reason.

Table 4. Five Keys Enrollment Status as of November 30, 2019

Enrollment Status	N	%
Actively Enrolled	39	19%
Successfully Completed Education Services	16	8%

²⁷ For the T/DRC, closed for some other reason includes change in supervision type, deceased, medical reason, and transferred out of county or to another jurisdiction.



Unsuccessfully Discharged	137	67%
Other Discharge Type ²⁸	11	5%

For Us By Us – Peer Mentoring and Reengagement Services

Alameda County introduced mentoring and reengagement services through For Us By Us (FUBU) providers beginning in July 2017. Through the FUBU model, a formerly justice-involved staff member seeks to connect with individuals on probation who are not complying with their terms to try to reengage them with services. As depicted in Figure 16, after serving 66 individuals in FY 17/18, the program served almost twice as many (108 individuals) the following year. The program is on track to surpass that number in FY 19/20 (data for this period was only available through October, the first third of the year, and 125 individuals had been served).

Figure 16. Number of Individuals Served by FUBU, by Fiscal Year

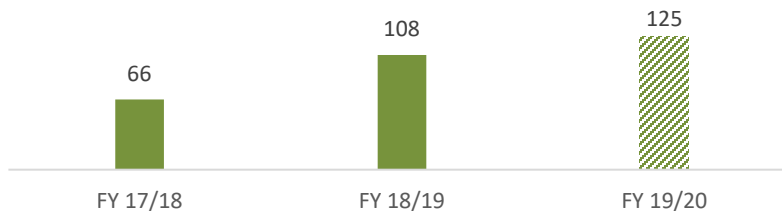


Table 5 indicates that as of October 31, 2019, 163 individuals were enrolled in FUBU mentoring and reengagement services. Nineteen percent (19%) were unsuccessfully discharged from the program, either for disengaging or for other reasons such as a program or probation violation or arrest or incarceration.

Table 5. FUBU Enrollment Status as of October 31, 2019

Enrollment Status	N	%
Open Enrollment	163	81%
Closed Enrollment - Inactive	24	12%
Closed Enrollment- Other ²⁹	14	7%

ACBH AB 109-Funded Services

Alameda County allocates funds for programs overseen by ACBH to support the provision of behavioral health services for individuals on probation with identified behavioral health needs. These individuals can also be referred to ACBH’s system of care to receive appropriate assessments and treatment, as needed.

The ACCESS line, which is partially AB 109-funded, is a phone-based triage system operated through ACBH. Based on an initial assessment, ACCESS refers individuals who meet medical necessity for serious mental illness to the appropriate level of care through ACBH or a contracted provider. ACCESS is also the main point through which individuals on probation access outpatient behavioral health services. Figure 17 below shows the number of individuals served and the number of screenings and referrals provided

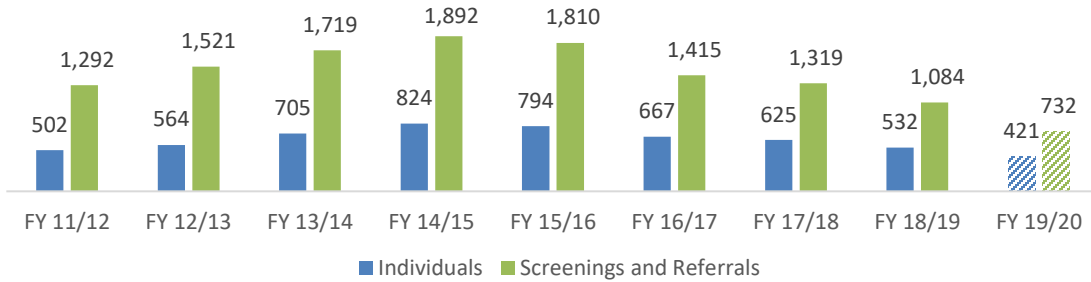
²⁸ For the Five Keys program, other discharge type includes supervision terminated, relocated, or some other discharge type.

²⁹ For the FUBU program, other closed enrollment includes individual was arrested/incarcerated, individual was ineligible for services, individual’s needs were successfully addressed, program violation, or probation violation.



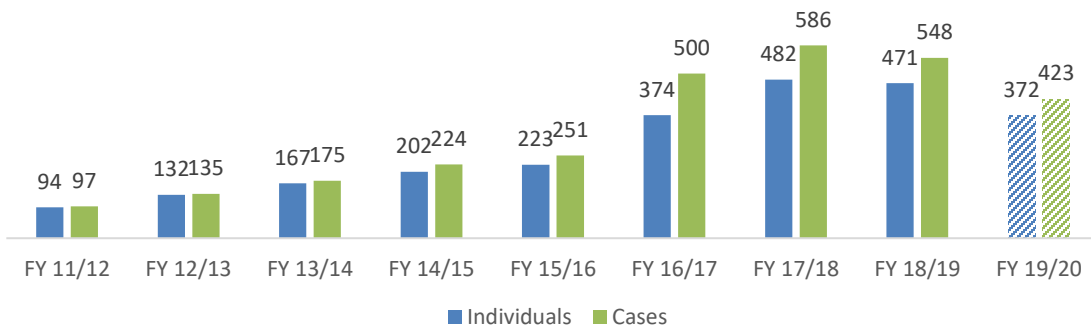
through ACCESS from FY 11/12 through May of FY 19/20. The number of individuals and the number of screenings and referrals increased between FY 11/12 through FY 14/15, after which they steadily declined between FY 14/15 through FY 19/20.

Figure 17. Number of Individuals Served and Number of Screenings and Referrals Through the ACBH ACCESS Line, by Fiscal Year



Overseen by ACBH, Bay Area Legal Aid provides AB 109-funded wraparound legal services that include the removal of barriers due to criminal history across several areas including housing, employment, public benefits, and driver's license and traffic court debt, among others. They also support individuals to remedy their criminal records. This includes expunging records, reducing felonies to misdemeanors, terminating probation early, and sealing records. Figure 18 below shows the number of individuals receiving these legal services and the number of cases for FY 11/12 through May of FY 19/20. As depicted in the chart, both the number of individuals and the number of cases show an overall increase across fiscal years.

Figure 18. Number of Individuals Served and Number of Cases from ACBH Legal Services, by Fiscal Year



Individuals in the realigned population under probation supervision also receive substance use assessment, referral, and care management services through CenterPoint's substance use disorder Criminal Justice Case Management program (CJCM). From December 2018 through the end of FY 18/19, the CJCM program served 116 individuals and managed 146 cases. Through May of FY 19/20, these numbers increased to 144 individuals served and 207 cases managed.³⁰

³⁰ Data for these services were provided through ACBH. While these services were operating in FY 17/18, data were not available in from electronic health records system until December 2018.



Recidivism Outcomes

As discussed in the *Methodology* section, RDA assessed recidivism outcomes for two probation cohorts. Probation Cohort 1 includes individuals with new probation case starts between October 1, 2011 and December 31, 2014. During this period, there were a limited number of AB 109-funded services online, and those that were available were in the early stages of implementation with a limited number of participants. Probation Cohort 2 includes all individuals with new probation sentences between January 1, 2015 and December 31, 2018. Beginning in January of 2015, a greater number of AB 109-funded services were available for individuals under probation supervision. Additionally, assessing Probation Cohort 2 separately from Probation Cohort 1 allows for an examination of recidivism outcomes for individuals under probation supervision more recently.³¹

The following section begins with a description of the two cohorts, including a comparison of the similarities and differences across criminal justice, behavioral health, and demographic characteristics. Then RDA examines descriptive recidivism outcomes for each cohort using frequencies and percentages to describe revocation and new criminal conviction rates. Finally, we use inferential analyses to examine associations between service receipt, as well as other factors (e.g. probation caseload type, criminal history, age, race, gender, and serious mental illness or substance use disorder diagnoses) on recidivism. We first report on findings for all individuals under probation supervision, and then report on recidivism outcomes for individuals with SMI or SUD diagnoses, examining the extent to which receiving mental health and/or substance use services reduced the likelihood or rates of recidivism for these populations.

It is important to highlight that the number of Mandatory Supervision cases is very low in each Probation Cohort (n=45 in Probation Cohort 1 and n=30 in Probation Cohort 2), making up less than one percent of the total population. All results concerning the Mandatory Supervision population should be interpreted with extreme caution. It is also important to note that RDA's analysis of service receipt and recidivism outcomes only includes the AB 109-funded services. AB 109-funded services do not include all services that were available to individuals under probation supervision, and these additional services are not accounted for in the following analyses.

³¹ Some individuals may be included in both cohorts. For example, an individual may have been convicted of a crime in January 2012 and placed on probation during the Cohort 1 time period. Then, in a separate incident, the same individual may be convicted of a new criminal offense in January 2018 and placed on probation again during the Cohort 2 time period. This individual would be included in the recidivism analyses for both cohorts.

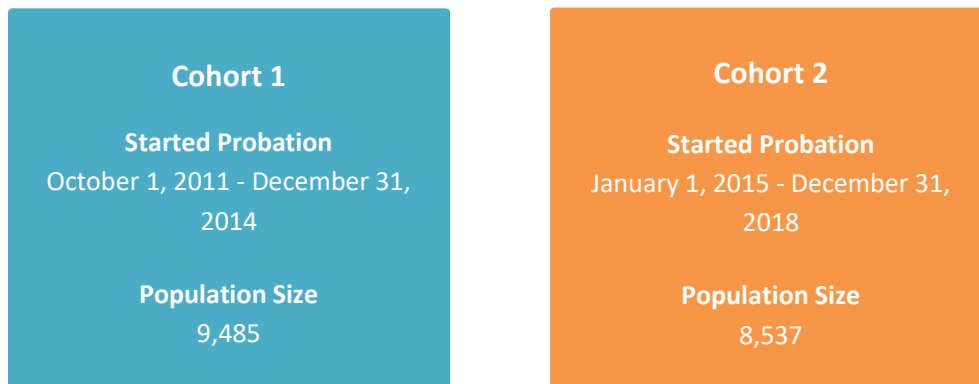


Probation Population Profiles

Key Findings: Population Profiles

- Across demographic, behavioral health, and criminal justice characteristics the two probation cohorts are mostly the same.
- Nineteen percent (19%) of individuals in Probation Cohort 2 received AB 109-funded services, compared to only four percent (4%) in Probation Cohort 1.
- Approximately one quarter of individuals under probation supervision have been diagnosed with serious mental illness and/or substance use disorder.
- The number of Mandatory Supervision cases is extremely low. Findings for these individuals should be interpreted cautiously.

This section explores similarities and differences between individuals who started probation between October 1, 2011 and December 31, 2014 (Probation Cohort 1), and those who started probation between January 1, 2015 and December 31, 2018 (Probation Cohort 2).



As noted previously, there were a limited number of AB 109-funded services during Cohort 1, and those that were available were in the early stages of implementation with a very limited number of participants. A greater number of AB 109-funded services were available for Probation Cohort 2.

Table 6 below reflects the criminal justice, behavioral health, and demographic characteristics of all individuals in Probation Cohorts 1 and 2. The cohorts are largely similar to one another, although Probation Cohort 2 has a larger County Realigned population and smaller Formal Probation population than Cohort 1. Most notably, a much greater proportion of individuals in Probation Cohort 2 received AB 109-funded services (19%) compared to Probation Cohort 1 (4%).



Table 6. Characteristics of Probation Cohorts 1 and 2³²

Criminal Justice, Behavioral Health, & Demographic Characteristics	Cohort 1 (N= 9,485)		Cohort 2 (N=8,537)	
	N	%	N	%
Services				
Received AB 109-Funded Service	344	4%	1,607	19%
Did not Receive AB 109- Funded Service	9,141	96%	6,930	81%
Probation Type				
Formal Probation	4,267	45%	2,876	34%
County Realigned	3,785	40%	4,159	49%
PRCS	1,388	15%	1,472	17%
Mandatory Supervision	45	<1%	30	<1%
Criminal History				
No Priors	3,071	32%	2,908	34%
Misdemeanor Only	2,086	22%	1,756	21%
1 Felony	1,562	17%	1,313	15%
2 or More Felonies	2,766	29%	2,560	30%
Diagnosis				
None	7,205	76%	6,215	73%
Serious Mental Illness	1,023	11%	858	10%
Substance Use Disorder	736	8%	890	10%
Co-occurring	521	5%	574	7%
Age Group				
18-24	2,332	25%	1,900	22%
25-44	5,197	55%	4,844	57%
45-64	1,885	20%	1,690	20%
65+	71	1%	82	1%
Unknown	21	<1%	21	<1%
Race/Ethnicity				
Black	4,693	50%	4,180	49%
Hispanic/Latino	2,021	21%	1,967	23%
White	1,902	20%	1,693	19%
Asian/Pacific Islander	563	6%	579	7%
Unknown/Other	306	3%	172	2%
Gender				
Male	8,008	84%	7,282	85%
Female	1,477	16%	1,255	15%

³² RDA also examined criminal justice, behavioral health, and demographic characteristics by gender and found no significant differences.



Revocation Outcomes

Key Findings: Revocation Outcomes

- *Revocation rates have increased over time. Twenty-eight percent (28%) of individuals in Probation Cohort 1 were revoked, compared to 41% of individuals in Probation Cohort 2.*
- *A greater proportion of the PRCS population was revoked in Probation Cohort 1 compared to other caseload types. In Probation Cohort 2, revocation rates across caseload types were similar.*
- *Since the start of Realignment, jail bookings for probation violations have increased over time; however, the average lengths of stay for these violations have declined.*

A revocation occurs when the court finds that an individual has violated the conditions of his or her probation, mandatory supervision, or post-release community supervision. At that point, the individual’s probation term is paused or stopped, and they can be issued a sanction such as additional probation time, a fine, a mandate to attend a counseling or treatment program, and/or jail time. Probation is then typically reinstated, sometimes with additional time to serve under probation supervision or new conditions. In some cases, probation may be terminated.³³ This section reviews revocation outcomes for Probation Cohort 1 and Probation Cohort 2, and breaks down Cohort 2 into two populations – all individuals with new probation sentences between January 1, 2015 and December 31, 2018, and a subset of these individuals with new probation sentences between January 1, 2015 and December 31, 2016, for which we were able to measure revocation rates over a full three-year period.³⁴

Table 7 below indicates that revocation rates have increased over time. Individuals in Probation Cohort 2, who started probation between January 1, 2015 and December 31, 2018, had higher revocation rates than individuals in Probation Cohort 1, who started probation between October 1, 2011 and December 31, 2014.

Table 7. One, Two, and Three-Year Revocation Rates by Cohort

Revocation Timeline	Cohort 1 (N=9,485)	Cohort 2	
	% Revoked	All Individuals (N=8,537)	3 Year Period (N=4,684)
1 Year	21%	25%	28%
2 Years	5%	7%	10%
3 Years	2%	2%	3%
Total	28%	34%	41%

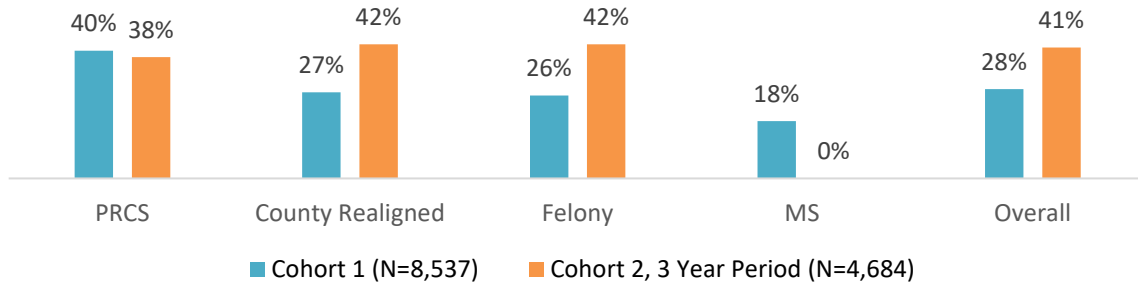
³³ Drawn from Cal. Penal Code § 1203.3.

³⁴ RDA obtained data on new criminal convictions through December 31, 2019, therefore we could only calculate three-year recidivism rates for individuals starting supervision in 2016 or earlier.



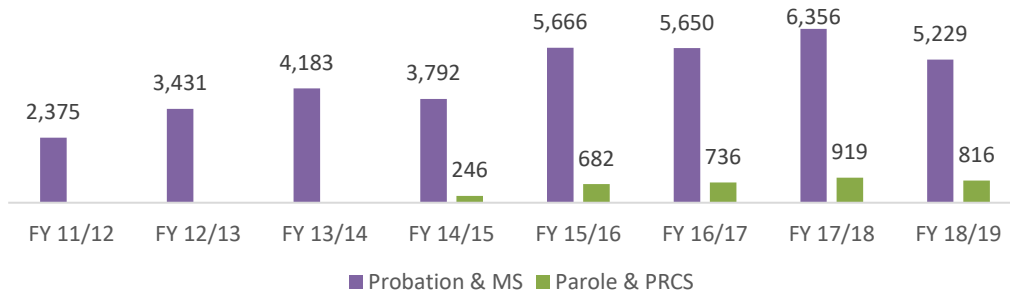
Figure 19 below examines three-year revocation rates by supervision type and Probation Cohort. In Cohort 1, a greater proportion of the PRCS population was revoked from probation compared to other populations. However, revocation rates across caseload types were similar for Cohort 2.

Figure 19. Three-Year Revocation Rates by Supervision Type and Cohort



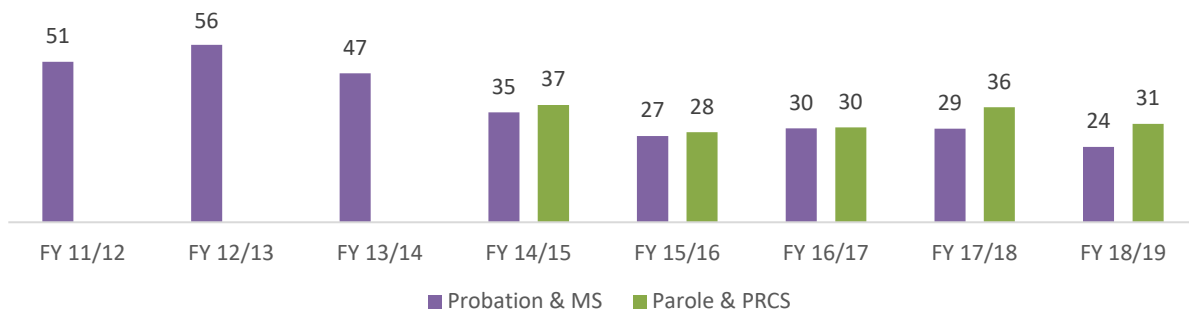
Probation violations account for a large number of jail bookings each year. Figures 17 and 18 below demonstrate the number of bookings and bed days utilized from 2011 through June 2019 for probation and/or parole violations. Notably, the number of bookings for these violations has increased over time.

Figure 20. Jail Bookings for Violations, by Caseload Type and Fiscal Year



However, over the same period, the average lengths of stay for these bookings have declined for the Probation and Mandatory Supervision populations, while remaining relatively stable for the Parole and PRCS populations.

Figure 21. Average Length of Jail Stay (in Days), by Violation Type and Fiscal Year





Descriptive Overview of Recidivism

Key Findings: Recidivism Outcomes

- Probation Cohort 2 had slightly lower recidivism rates (38%) than Probation Cohort 1 (40%).
- From 2015 to 2018, one-year recidivism rates dropped substantially, from 21% for individuals who started probation in 2015 compared to 14% for individuals who started in 2018.
- Individuals with SMI, SUD, and co-occurring disorders recidivated at a higher rate than other individuals under probation supervision.
- Individuals under PRCS had higher recidivism rates than other caseload types, as did individuals with more extensive and serious criminal histories, and those who were younger; men and women had similar recidivism rates.

This section examines recidivism as defined by the BSCC: a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction. As in the previous section, RDA assesses outcomes separately for Probation Cohort 1 and Probation Cohort 2, and breaks down Cohort 2 into two populations – all individuals with new probation sentences between January 1, 2015 and December 31, 2018, and a subset of these individuals with new probation sentences between January 1, 2015 and December 31, 2016, for which we were able to measure new criminal convictions for a full three-year period.

Overall Recidivism Rates

Table 8 below reflects that, overall, Probation Cohort 2 had slightly lower recidivism rates (38%) than Probation Cohort 1 (40%). The one-, two-, and three-year recidivism rates reflect the proportion of individuals under probation supervision who recidivated within one, two, and three years of starting supervision.

Table 8. One, Two, and Three-Year Recidivism Rates by Cohort

Recidivism Timeline	Cohort 1 (N=9,485) % Recidivated	Cohort 2	
		All Individuals (N=8,537) % Recidivated	3 Year Period (N=4,684) % Recidivated
1 Year	21%	18%	20%
2 Years	33%	28%	32%
3 Years	40%	32%	38%

Because RDA could not calculate three-year recidivism rates for individuals who started supervision in 2017 or 2018, RDA assessed one-year recidivism rates over time to examine changes in recidivism rates for individuals placed under probation supervision most recently. Table 9 indicates that one-year recidivism rates dropped significantly between 2015 and 2018. Twenty-one percent (21%) of individuals



who started probation in 2015 committed a new criminal offense within one year of being placed on probation, compared to only 14% of individuals who started probation in 2018.

Table 9. One-Year Recidivism Rates Between 2015 and 2018

Probation Start Year	Population Size	% Recidivated
2015	2,408	21%
2016	2,276	19%
2017	2,099	18%
2018	1,754	14%

Overall, among those who recidivated within three years of being placed under probation supervision, the average length of time to recidivism was similar across cohorts (438 days for Cohort 1 and 401 days for Cohort 2).³⁵ Seventy-seven percent (77%) of individuals who recidivated in Cohort 1 were convicted of a new felony offense, compared to 84% of individuals in Cohort 2.

Recidivism across Criminal Justice, Behavioral Health, & Demographic Characteristics

Table 10 below demonstrates that individuals under PRCS had higher recidivism rates than individuals who were County Realigned or on Formal Probation across both cohorts. In addition, individuals with more serious criminal histories and those ages 18-24 and 25-44 had higher recidivism rates. Perhaps most notably, individuals diagnosed with a serious mental illness and/or substance use disorder had much higher recidivism rates than other individuals under probation supervision. Interestingly, men and women had similar recidivism rates in both Probation Cohorts 1 and 2.

Table 10. Recidivism Outcomes by Characteristic for Cohort 1 and Cohort 2

Criminal Justice, Behavioral Health & Demographic Characteristics	Cohort 1 (N=9,485)		Cohort 2 – 3 Year Period (N=4,684)	
	N	% Recidivated	N	% Recidivated
Probation Type				
Formal	4,267	41%	1,588	36%
County Realigned	3,785	33%	2,171	34%
PRCS	1,388	58%	908	52%
Mandatory Supervision	45	62%	17	88%
Criminal History				
No Priors	3,071	29%	1,540	27%
Misdemeanor Only	2,086	38%	929	36%
1 Felony	1,562	45%	737	44%
2 or More Felonies	2,766	53%	1,478	49%
Behavioral Health Diagnoses				
No SMI or SUD Diagnosis	7,205	37%	3,397	35%
Serious Mental Illness (SMI)	1,023	55%	487	53%
Substance Use Disorder (SUD)	736	47%	491	44%
Co-occurring	521	46%	309	48%

³⁵ The numbers for Cohort 2 refer to the individuals with three probation years.



Age Group				
18-24	2,332	44%	1,087	42%
25-44	5,197	42%	2,620	39%
45-64	1,885	34%	922	35%
65+	71	24%	55	11%
Race/Ethnicity				
Black	4,693	42%	2,291	40%
Hispanic/Latino	2,021	38%	1,072	35%
White	1,902	41%	902	37%
Asian/Pacific Islander	563	36%	319	43%
Unknown/Other	306	35%	100	40%
Gender				
Male	8,008	41%	3,988	39%
Female	1,477	36%	696	34%

Recidivism and AB 109-funded Service Receipt

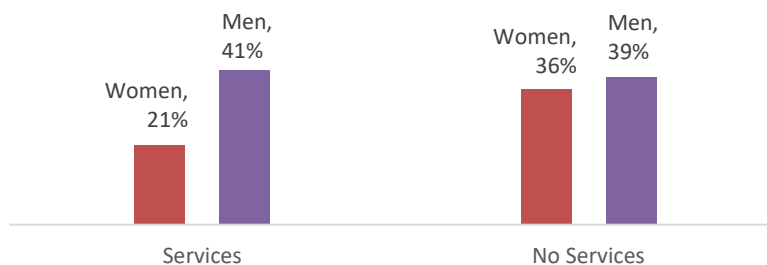
In Probation Cohort 1, individuals who received AB 109-funded services had lower rates of recidivism than those who did not, whereas in Probation Cohort 2, recidivism outcomes were similar for those receiving and not receiving AB 109-funded services.

Table 11. Recidivism Outcomes for Individuals who Received AB109 Funded Services³⁶

Services Status	Cohort 1 (N=9,485)		Cohort 2			
			All Individuals (N=8,537)		3 Year Period (N=4,684)	
	Pop. Size	% Recid.	Pop. Size	% Recid.	Pop. Size	% Recid.
Received Services	344	32%	1,607	32%	790	39%
Did Not Receive Services	9,141	41%	6,930	31%	3,894	38%

Notably, in Probation Cohort 2 there were large differences across gender, including a significant difference in recidivism outcomes among women and men who received services. Compared to women who received services, the recidivism rate for men who received services was twice as high – 21% of women who received services recidivated versus 41% of men who received services.

Figure 22. Recidivism Outcomes for Probation Cohort 2 by Service Receipt and Gender



³⁶ Includes services received pre-recidivism for individuals who recidivated or throughout three-year probation period for individuals who did not recidivate.



AB 109-Funded Services and Recidivism

Key Findings: AB 109-Funded Services and Recidivism

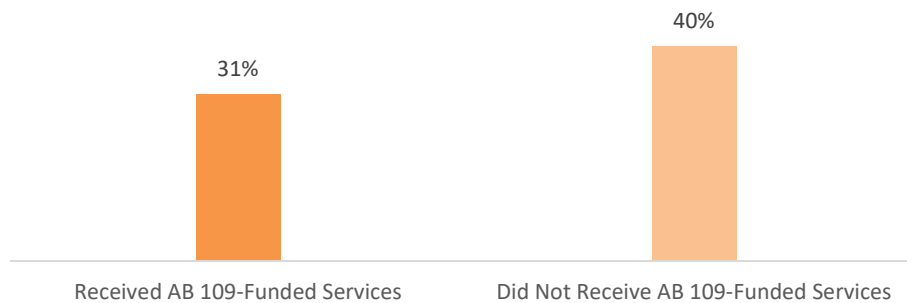
- Individuals who received AB 109-funded services were less likely to recidivate than individuals who did not receive these services.
- Individuals who received AB 109-funded services recidivated at a slower rate than individuals who did not receive these services.

This section examines the relationship between AB 109-funded service receipt and recidivism. RDA conducted inferential analyses, including logistic regression and survival analysis, to isolate associations between AB 109-funded service receipt and recidivism while accounting for other factors potentially associated with recidivism, including the criminal justice, behavioral health, and demographic characteristics summarized in the previous section. Findings are only reported for Probation Cohort 2 because they were consistent across cohorts and because a much smaller proportion of Probation Cohort 1 (4%) received AB 109-funded services compared to Probation Cohort 2 (19%).

Figure 23 below uses predicted probabilities to explore the probability of recidivism for all individuals in Cohort 2 if everyone did or did not receive AB 109-funded services.

Receiving any type of AB 109-funded service reduced the predicted probability of being convicted of a new criminal offense from 40% to 31%.

Figure 23. Predicted Probability of Recidivating by Service Receipt (N=4,684)



Another way to describe the impact of AB 109-funded service receipt is that individuals who received AB 109-funded services were 33% less likely to recidivate than individuals who did not receive these services, all else equal.³⁷ Not only did receiving services reduce the overall likelihood of recidivating, but it also slowed the rate at which recidivism occurred. One way to explain this finding is to pinpoint a time point in the graph below (see Figure 24) and the proportion of individuals we would expect to recidivate. The purple line represents the proportion of individuals who did not receive AB 109-funded services, while

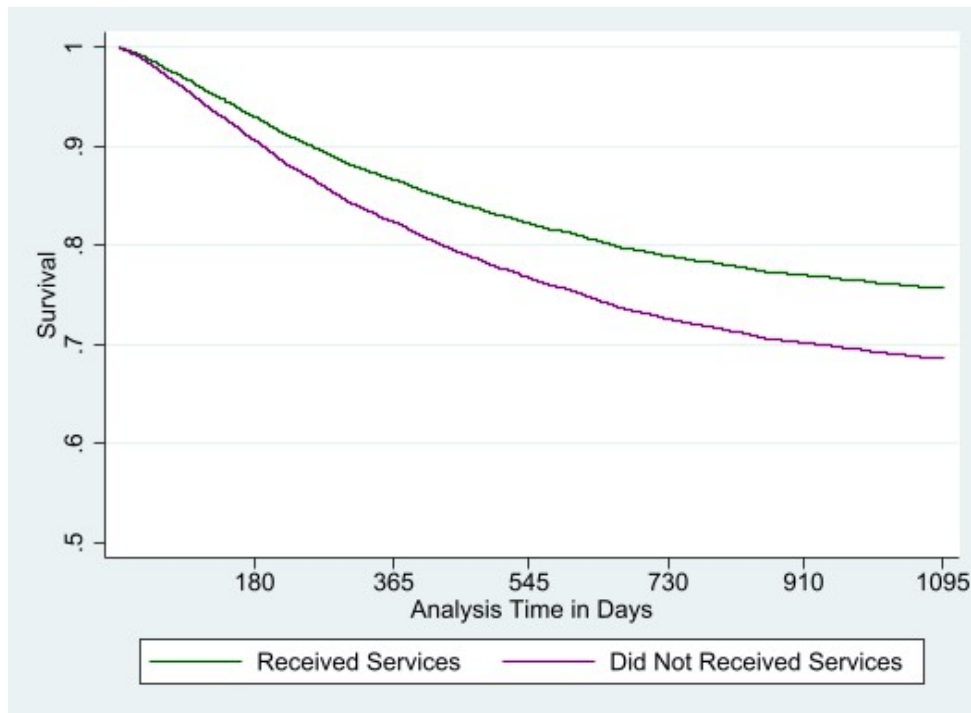
³⁷ See Appendix A for the logistic regression output that demonstrates these findings.



the green line represents the proportion of individuals who did. The distance between the two represents the difference in the predicted proportions recidivating at any given point in time.

The analysis predicts that at 545 days after starting supervision, for example, approximately 24% of individuals who did not receive services will have been convicted of a new criminal offense (76% will not have recidivated). In comparison, of those who did receive services only 19% will have been convicted of a new criminal offense (81% will not have recidivated). These findings indicate that services help to slow the rate of recidivism, as well as lower recidivism rates overall. Additionally, the figure below demonstrates that over time, each day that passes reduces the likelihood that anyone in the AB 109 population will recidivate. This suggests that the time at which individuals receive services while on probation is important, and that earlier service receipt can result in more successful outcomes.

Figure 24. Recidivism Survival Curve by Service Receipt for Probation Cohort 2 Complete Cohort (N=8,537)³⁸



³⁸ See Appendix A for the survival analysis output.



Mental Health Services and Recidivism

Key Findings: Mental Health Services and Recidivism

- Individuals diagnosed with serious mental illness who received mental health services through ACBH were less likely to recidivate than individuals who did not receive these services.
- Individuals diagnosed with serious mental illness who received mental health services through ACBH recidivated at a slower rate than individuals who did not receive these services.

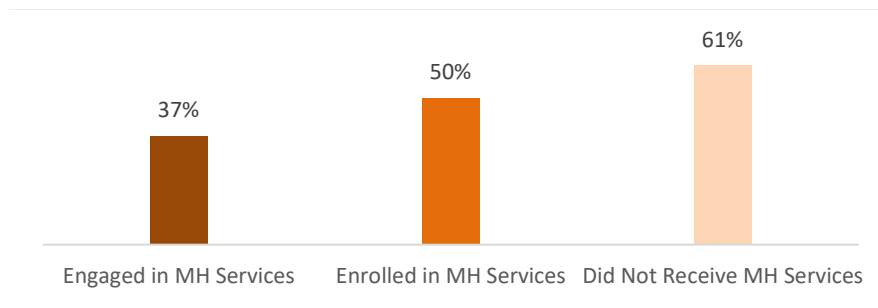
This section assesses the relationship between MH service receipt from ACBH and its subcontractors³⁹ and recidivism for individuals under probation supervision who have been diagnosed with SMI. Individuals with SMI engaged (or did not engage) in mental health services in one of three ways:

- ❖ **Enrolled in MH services:** Individuals served within the ACBH specialty mental health system
- ❖ **Engaged in MH services:** Individuals with three or more encounters with the same outpatient MH service provider
- ❖ **Did not receive MH services:** Individuals with zero encounters with an MH service provider from the ACBH specialty mental health system

As with the previous section, RDA conducted logistic regression and survival analysis to understand associations between MH service receipt and recidivism while accounting for other factors potentially associated with recidivism, including individuals’ criminal justice, behavioral health, and demographic characteristics. Findings are only reported for Probation Cohort 2 because they were consistent across cohorts. Also, a much smaller proportion of individuals with SMI in Probation Cohort 1 (6%) received mental health services compared to individuals with SMI in Probation Cohort 2 (26%).

Engaging in mental health services reduced the predicted probability of being convicted of a new criminal offense from 61% to 37% for individuals with serious mental illness.

Figure 25. Predicted Probability of Recidivating by Mental Health Service Receipt (N=796)⁴⁰



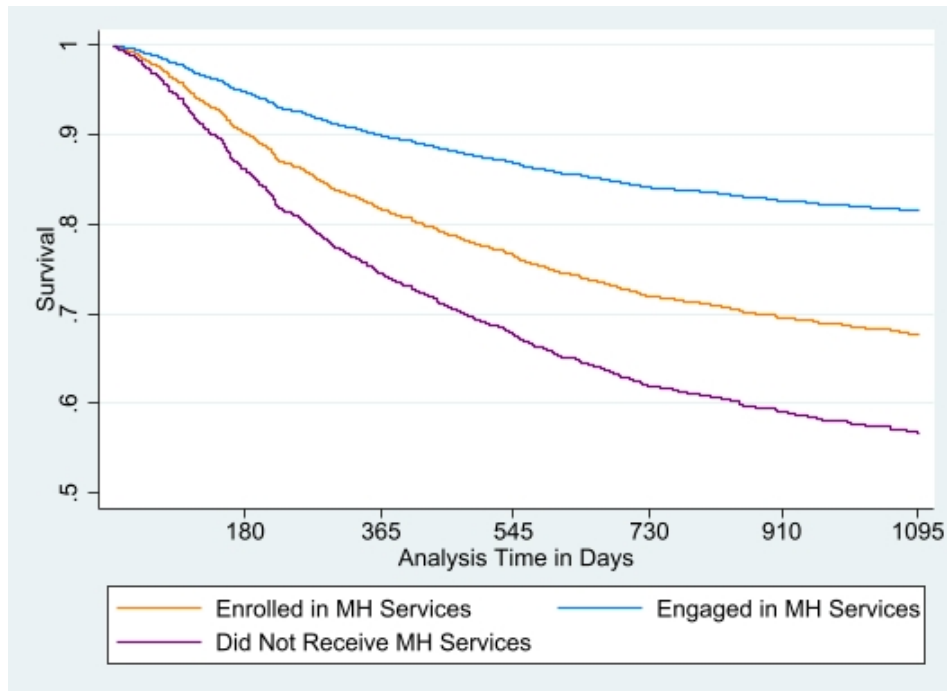
³⁹ ACBH does not have data for services provided outside the County’s system, therefore it is possible individuals may have received other mild to moderate services from other providers.

⁴⁰ See Appendix B for the logistic regression output.



For individuals with SMI, enrollment and engagement in MH services also significantly slowed the rate at which recidivism occurred. On the graph below (see Figure 26), the purple line represents the proportion of individuals who did not receive MH services, the orange line represents the proportion of individuals enrolled in MH services, and the blue line represents the proportion of individuals engaged in MH services. The analysis predicts that at 545 days after starting supervision, approximately 32% of individuals who did not receive MH services will have been convicted of a new criminal offense (68% will not have recidivated), as represented by the purple line. In comparison, of those who engaged in MH services, only 13% will have been convicted of a new criminal offense at 545 dates (87% will not have recidivated), as represented by the blue line. These findings indicate that engagement in mental health services helps to slow the rate of recidivism, as well as lower recidivism rates overall. Additionally, the figure below demonstrates that over time, each day that passes reduces the likelihood that anyone with a SMI diagnosis in the AB 109 population will recidivate.

Figure 26. Recidivism Survival Curve by Service Receipt for Probation Cohort 2 Complete Cohort with SMI Diagnosis (N=1,432)⁴¹



⁴¹ See Appendix B for the survival analysis output.



Substance Use Services and Recidivism

Key Findings: Substance Use Services and Recidivism

- Individuals diagnosed with substance use disorder who received substance use services through ACBH were less likely to recidivate than individuals who did not receive these services.
- Individuals diagnosed with substance use disorder who received substance use services through ACBH recidivated at a slower rate than individuals who did not receive these services.

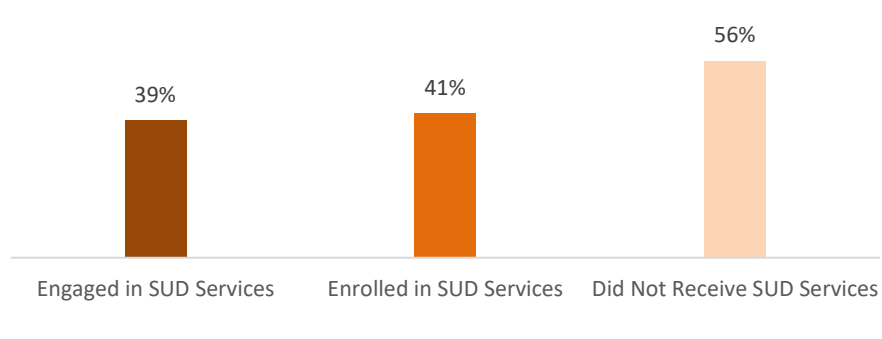
This section examines the relationship between SUD service receipt from ACBH and its subcontractors⁴² and recidivism for individuals with a SUD diagnosis who are under probation supervision. Similar to the previous section, individuals with SUD diagnoses engaged (or did not engage) in SUD services in one of three ways:

- ❖ **Enrolled in SUD services:** Individuals who received SUD services through ACBH
- ❖ **Engaged in SUD services:** Individuals with three or more encounters from the same SUD service provider
- ❖ **Did not receive SUD services:** Individuals with zero encounters with an ACBH SUD service provider

RDA again conducted logistic regression and survival analysis to explore the relationship between SUD service receipt and recidivism, accounting for other factors including criminal justice, behavioral health, and demographic characteristics. Findings continued to remain consistent across cohorts and a much smaller proportion of individuals with a SUD diagnosis in Probation Cohort 1 received SUD services (7%) compared to individuals with a SUD diagnosis in Probation Cohort 2 (30%). Therefore, the findings below report on Probation Cohort 2 only.

Engaging in SUD services reduced the predicted probability of being convicted of a new criminal offense from 56% to 39% for individuals with a SUD diagnosis.

Figure 27. Predicted Probability of Recidivating by Substance Use Service Receipt (N=800)⁴³



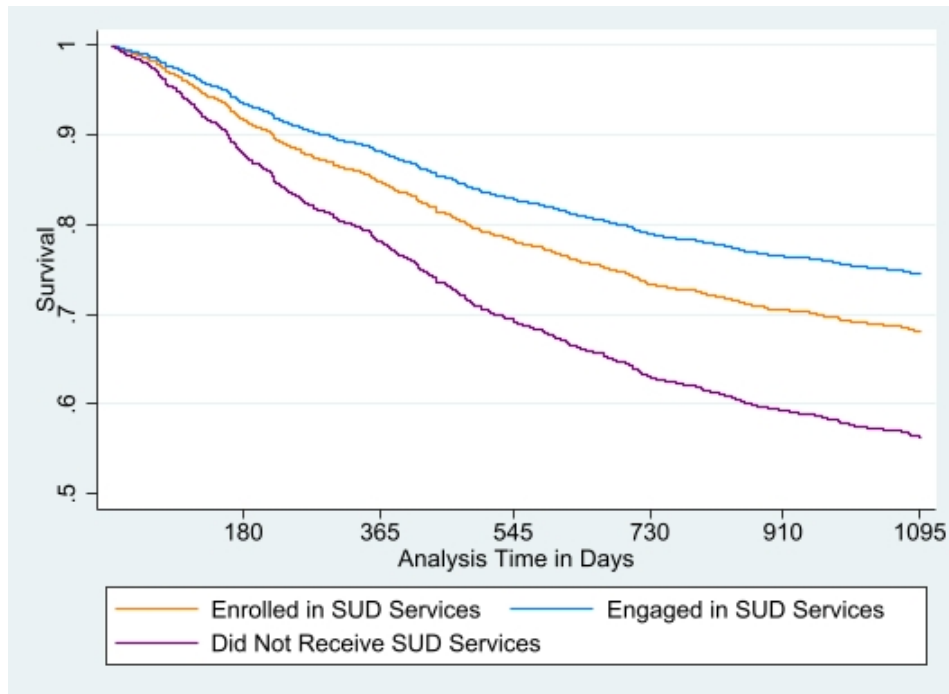
⁴² ACBH does not have data for services provided outside the County’s system, therefore it is possible individuals may have received SUD services from other providers.

⁴³ See Appendix C for the logistic regression output.



For individuals with a SUD diagnosis, enrollment and engagement in SUD services also slowed the rate at which recidivism occurred. The survival curve below (see Figure 28), for example, predicts that at 545 days after starting supervision, approximately 31% of individuals who did not receive services will have been convicted of a new criminal offense (69% will not have recidivated); among those engaged in SUD services, only 17% will have been convicted of a new criminal offense (83% will not have recidivated). These findings indicate that engagement in SUD services helps to slow the rate of recidivism, as well as lower recidivism rates overall. As found in previous sections, each day that passes reduces the likelihood that individuals with a SUD diagnosis will recidivate.

Figure 28. Recidivism Survival Curve by Service Receipt for Probation Cohort 2 Complete Cohort with SUD Diagnosis (N=1,464)⁴⁴



⁴⁴ See Appendix C for the survival analysis output.



Discussion

Summary of Findings

- Alameda County's average daily jail and probation populations have decreased since the enactment of Realignment.
- Beginning in 2015, a greater variety of AB 109-funded services were available to individuals under probation supervision. As a result, a greater proportion have been connected to AB 109-funded services since that time. Between 2015 and 2019, 19% of the County's probation population enrolled in AB 109-funded services.
- Probation Cohort 2 had slightly lower recidivism rates (38%) than Probation Cohort 1 (40%), and from 2015 to 2018, one-year recidivism rates dropped substantially, from 21% for individuals who started probation in 2015 compared to 14% for individuals who started in 2018.
- Individuals under PRCS had higher recidivism rates than other caseload types, as did individuals with more extensive and serious criminal histories, and those who were younger; men and women had similar recidivism rates.
- Individuals who received AB 109-funded services were less likely to recidivate and recidivated at a slower rate than individuals who did not participate in services. Among individuals in Probation Cohort 2 who received AB 109-funded services, only 21% of women recidivated compared to 41% of men. All else equal, individuals who received AB 109-funded services were 33% less likely to recidivate than individuals who did not receive these services.
- Approximately one quarter of individuals under probation supervision have been diagnosed with serious mental illness and/or substance use disorder. These individuals are at a greater risk of recidivism than individuals without these diagnoses; this is especially true for individuals diagnosed with serious mental illness.
- Mental Health and substance use services effectively reduce recidivism among individuals diagnosed with serious mental illness and/or substance use disorder; however, only about one quarter of these individuals are connected with ACBH services.

RDA's findings demonstrate that recidivism rates have slightly declined since the enactment of Realignment. Perhaps most notable, one-year recidivism rates have dropped substantially for individuals starting probation most recently (21% percent of individuals who started probation in 2015 recidivated within one year, compared to 14% among individuals who started probation in 2018). Within this landscape, there is variation in recidivism rates across sub-populations. Of note, over one-quarter (27%) of individuals under probation supervision have been diagnosed with serious mental illness and/or substance use disorder; these individuals had much higher recidivism rates than other individuals on Probation. In addition, individuals under PRCS had higher recidivism rates than those who were County



Realigned or on Formal Probation. Individuals with more serious criminal histories and those ages 18-24 and 25-44 also had higher recidivism rates. Interestingly, men and women had similar recidivism rates overall (women were slightly lower).

RDA's findings on the impact of service provision on recidivism among Alameda County's probation population are promising. Results demonstrate that Alameda County's AB 109-funded services and Behavioral Health Care Service programs reduce the likelihood of recidivism and reduce the rate at which individuals recidivate. Findings also clearly demonstrated that individuals with serious mental illness and/or substance use disorders are at a greater risk of recidivating and that enrolling and engaging in mental health and substance use disorder services significantly reduces the likelihood of recidivism for these populations. This suggests that, overall, providing services to individuals post-release provides Alameda County with additional time to intervene and work with them to prevent recidivism, and points to service provision as a critical component for continuing to reduce recidivism and increase public safety.

While results from this report are promising, findings about AB 109-funded service receipt should be read with some caution. A relatively small proportion of individuals received AB 109-funded services. In addition, a number of the individuals who received services from one organization also enrolled in other AB 109-funded services. The effects of each are not disentangled. Despite this, AB 109-funded service provision does seem to effectively reduce recidivism, and it appears service expansion could reduce recidivism rates among Alameda County's probation population moving forward.

Operational Utility of Key Findings

Findings from this report suggest that targeted interventions can help support individuals under probation supervision and reduce their likelihood of recidivism. For example, as noted above, individuals with serious mental illness and/or substance use disorders are at a much greater risk for recidivism than the general probation population. Those that were connected to and enrolled in appropriate services had a reduced likelihood of recidivism. The impact of these services was greatest for those who were more engaged in treatment, as indicated by participation in at least three service encounters.

These findings suggest that identifying the recidivism risk and needs of individuals under probation supervision would provide an opportunity to provide targeted interventions that support re-entry and reduce the likelihood of recidivism. Moreover, they suggest the importance of connecting more individuals under probation supervision, including those with behavioral health issues, to appropriate services, and ensuring those who are connected with services become engaged in them.

In 2019 the Probation Department implemented the use of an adult risk and needs assessment tool, the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), to enable deputy probation officers (DPOs) to work with individuals under their supervision to develop case plans that are specific to their criminogenic risk and needs. Probation should ensure that all individuals under their supervision receive a COMPAS assessment. The Department should also continue to train DPOs to use the COMPAS to develop case plans and make appropriate referrals. Moreover, Probation should incentivize engagement in appropriate services, and work with contracted service providers to ensure high-quality



services. It is noteworthy that in 2019 Probation also implemented a new case management system, CaseloadPRO, which includes a provider Partner Portal component. This innovative component allows probation staff to make referrals to providers, communicate via electronic notes, attach documents, and receive program status updates as they occur. As planned, the County should capitalize on this feature and work to create protocols between DPOs and providers on how to use the system to help increase referral, enrollment, and engagement with services.

Areas for Further Inquiry

This report identified several sub-groups (e.g., PRCS population, individuals age 18-24 and 25-44, individuals with more serious criminal histories) on probation who recidivated at a higher rate than other individuals under probation supervision. County partners should continue to drill deeper and identify other sub-groups of interest (e.g., individuals with mild to moderate mental illness) in order to gain a better understanding of the factors that might influence their success (e.g., caseload sizes, case management practices, increased service connections), including the extent to which targeted service interventions, among other practices, could support re-entry into the community and reduce their likelihood for recidivism.

An interesting finding from this report was that while men and women recidivated at similar rates, women who enrolled in AB 109-funded services were much less likely to recidivate than women who did not enroll in these services. On the other hand, men who did and did not enroll in AB 109-funded services recidivated at similar rates. The County should seek to learn more about the factors that result in women who engage in AB 109-funded services having reduced rates of recidivism. These learnings can be used, as appropriate, to inform service delivery for other individuals under probation supervision. In addition, the County should explore how more gender-responsive services can be integrated for all women under probation supervision.

This report also identified that individuals starting probation most recently have substantially lower one-year recidivism rates than individuals starting probation previously. The Department should continue to engage in newly implemented practices⁴⁵ and measure the impacts of them to support data-driven decision making to reduce recidivism rates for all individuals under their supervision.

Finally, as noted in the *Considerations and Limitations* section, Alameda County's ITD has been unable to extract reliable data on whether revocations were filed by the DA's Office or Probation, or whether they were filed for technical violations or in lieu of new charges for new criminal offenses since the Court's conversion to the Odyssey Case Management System. Challenges also remain regarding the reliability of sentencing information that can be extracted from the system, especially for historical information prior to July 2016. The County should continue to explore these data issues so that it is possible to reliably assess revocation and sentencing outcomes and begin to understand how AB 109 Realignment has impacted filing and sentencing practices, if at all.

⁴⁵ A detailed description of the Adult Service Delivery Model can be found in RDA's AB 109 Process Evaluation report (March 2019).



Appendix A. AB 109-Funded Services: Logistic Regression and Survival Analysis

Table 12. Logistic Regression, Probation Cohort 2, 3 Year Period (N=4,684)⁴⁶

Criminal Justice, Behavioral Health, & Demographic Characteristics	Odds Ratio (SE)	P Value
AB 109-Funded Services		
Received Services	.67 (.06)	.000
Did not Receive Services	1.00	-
Probation Type		
Formal	1.00	-
County Realigned	.87 (.06)	.072
PRCS	1.51 (.15)	.000
Mandatory Supervision	12.6 (9.6)	.001
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.69 (.16)	.000
1 Felony	2.21 (.22)	.000
2 or More Felonies	3.07 (.30)	.000
Diagnosis		
None	1.00	-
Serious Mental Illness	2.04 (.21)	.000
Substance Use Disorder	1.33 (.14)	.005
Co-occurring	1.65 (.21)	.000
Age Group		
18-24	1.75 (.14)	.000
25-44	1.00	-
45-64	.67 (.06)	.000
65+	.19 (.08)	.001
Race/Ethnicity		
White	1.00	-
Black	.82 (.07)	.022
Hispanic/Latino	.82 (.08)	.052
Asian/Pacific Islander	1.41 (.20)	.015
Unknown/Other	1.14(.26)	.562
Gender		
Male	1.00	-
Female	.91 (.08)	.334

⁴⁶ For each characteristic, the comparison group is indicated by an odds ratio of 1.00.



Table 13. Survival Analysis, Probation Cohort 2, Complete Cohort (N=8,537)⁴⁷

Criminal Justice, Behavioral Health, & Demographic Characteristics	Hazard Ratio (SE)	P Value
AB 109-Funded Services		
Received Services	.74 (.04)	.000
Did not Receive Services	1.00	-
Probation Type		
Formal	1.00	-
County Realigned	.87 (.04)	.002
PRCS	1.65 (.09)	.000
Mandatory Supervision	3.15 (.68)	.000
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.59 (.10)	.000
1 Felony	1.84 (.12)	.000
2 or More Felonies	2.57 (.15)	.000
Diagnosis		
None	1.00	-
Serious Mental Illness	1.60 (.09)	.000
Substance Use Disorder	1.23 (.08)	.001
Co-occurring	1.32 (.10)	.000
Age Group		
18-24	1.60 (.08)	.000
25-44	1.00	-
45-64	.72 (.04)	.000
65+	.46 (.11)	.001
Race/Ethnicity		
White	1.00	-
Black	.80 (.04)	.000
Hispanic/Latino	.85 (.05)	.006
Asian/Pacific Islander	1.06 (.09)	.494
Unknown/Other	.94 (.13)	.684
Gender		
Male	1.00	-
Female	.92 (.06)	.147

⁴⁷ For each characteristic, the comparison group is indicated by an odds ratio of 1.00.



Appendix B. Mental Health Services: Logistic Regression and Survival Analysis

Table 14. Logistic Regression - Cohort 2 with SMI Diagnosis, 3 Year Period (N=796)⁴⁸

Criminal Justice, Behavioral Health, & Demographic Characteristics	Odds Ratio (SE)	P Value
Mental Health Services		
Enrolled in MH Services	.63 (.11)	.010
Engaged in MH Services	.39 (.09)	.000
Did not Receive MH Services	1.00	-
AB 109-Funded Services		
Received Services	.60 (.11)	.007
Did not Receive Services	1.00	-
Probation Type		
Formal	1.00	-
County Realigned	1.10 (.19)	.566
PRCS	2.37 (.58)	.000
Mandatory Supervision ⁴⁹	1	-
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.66 (.42)	.044
1 Felony	1.69 (.47)	.058
2 or More Felonies	2.50 (.66)	.001
Diagnosis		
No Co-occurring	1.00	-
Co-occurring SMI and SUD	.97 (.16)	.856
Age Group		
18-24	1.25 (.29)	.324
25-44	1.00	-
45-64	.60 (.11)	.006
65+ ⁵⁰	1	-
Race/Ethnicity		
White	1.00	-
Black	.92 (.20)	.695
Hispanic/Latino	.79 (.22)	.396
Asian/Pacific Islander	.85 (.36)	.704
Unknown/Other	1.24 (.65)	.681
Gender		
Male	1.00	-
Female	1.01 (.19)	.966

⁴⁸ For each characteristic, the comparison group is indicated by an odds ratio of 1.00.

⁴⁹ All individuals on Mandatory Supervision (n=1) recidivated. This means outcomes for this group are predicted perfectly and therefore are omitted from the analysis.

⁵⁰ All individuals age 65+ (n=7) did not recidivate. This means outcomes for this group are predicted perfectly and therefore are omitted from the analysis.



Table 15. Survival Analysis, Cohort 2 with SMI Diagnosis (N=1,432)⁵¹

Criminal Justice, Behavioral Health, and Demographic Characteristics	Hazard Ratio (SE)	P Value
Mental Health Services		
Enrolled in MH Services	.69 (.06)	.000
Engaged in MH Services	.36 (.05)	.000
Did not Receive MH Services	1.00	-
AB 109-Funded Services		
Received Services	.71 (.07)	.001
Did not Receive Services	1.00	-
Probation Type		
Formal	1.00	-
County Realigned	.93 (.09)	.459
PRCS	1.89 (.23)	.000
Mandatory Supervision	2.72 (2.0)	.165
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.35 (.21)	.053
1 Felony	1.41 (.24)	.043
2 or More Felonies	2.04 (.31)	.000
Diagnosis		
No Co-occurring	1.00	-
Co-occurring SMI and SUD	.96 (.09)	.689
Age Group		
18-24	1.17 (.15)	.223
25-44	1.00	-
45-64	.69 (.07)	.000
65+	<.001 (<.001)	1.00
Race/Ethnicity		
White	1.00	-
Black	.97 (.11)	.813
Hispanic/Latino	.95 (.14)	.721
Asian/Pacific Islander	1.17 (.27)	.507
Unknown/Other	1.01 (.28)	.962
Gender		
Male	1.00	-
Female	.94 (.10)	.595

⁵¹ For each characteristic, the comparison group is indicated by an odds ratio of 1.00.



Appendix C. Substance Use Services: Logistic Regression and Survival Analysis

Table 16. Logistic Regression - Cohort 2 with SUD Diagnosis, 3 Year Period (N=800)⁵²

Criminal Justice, Behavioral Health, & Demographic Characteristics	Odds Ratio (SE)	P Value
Substance Use Disorder Services		
Enrolled in SUD Services	.53 (.13)	.009
Engaged in SUD Services	.48 (.08)	.000
Did not Receive SUD Services	1.00	-
AB 109-Funded Services		
Received Services	.85 (.15)	.354
Did not Receive Services	1.00	-
Probation Type⁵³		
Formal	1.00	-
County Realigned	.98 (.17)	.932
PRCS	2.25 (.52)	.001
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.37 (.37)	.240
1 Felony	1.18 (.36)	.574
2 or More Felonies	2.14 (.59)	.006
Diagnosis		
No Co-occurring	1.00	-
Co-occurring SMI and SUD	1.35 (.21)	.059
Age Group		
18-24	1.24 (.29)	.371
25-44	1.00	-
45-64	.47 (.09)	.000
65+ ⁵⁴	1	-
Race/Ethnicity		
White	1.00	-
Black	.86 (.17)	.447
Hispanic/Latino	.99 (.22)	.977
Asian/Pacific Islander	1.15 (.45)	.726
Unknown/Other	1.27 (.78)	.699
Gender		
Male	1.00	-
Female	.83 (.16)	.355

⁵² For each characteristic, the comparison group is indicated by an odds ratio of 1.00.

⁵³ There were not individuals with the Mandatory Supervision probation type in this subgroup.

⁵⁴ All individuals age 65+ (n=7) did not recidivate. This means outcomes for this group are predicted perfectly and therefore are omitted from the analysis.



Table 17. Survival Analysis, Cohort 2 with SUD Diagnosis (N=1,464)⁵⁵

Criminal Justice, Behavioral Health, and Demographic Characteristics	Hazard Ratio (SE)	P Value
Substance Use Disorder Services		
Enrolled in SUD Services	.67 (.09)	.004
Engaged in SUD Services	.51 (.05)	.000
Did not Receive SUD Services	1.00	-
AB 109-Funded Services		
Received Services	.76 (.07)	.005
Did not Receive Services	1.00	-
Probation Type⁵⁶		
Formal	1.00	-
County Realigned	.89 (.09)	.271
PRCS	2.19 (.27)	.000
Criminal History		
No Priors	1.00	-
Misdemeanor(s) Only	1.31 (.21)	.102
1 Felony	1.28 (.24)	.176
2 or More Felonies	1.91 (.31)	.000
Diagnosis		
No Co-occurring	1.00	-
Co-occurring SMI and SUD	1.13 (.10)	.174
Age Group		
18-24	1.41 (.15)	.011
25-44	1.00	-
45-64	.68 (.07)	.001
65+	<.001 (<.001)	1.00
Race/Ethnicity		
White	1.00	-
Black	.83 (.09)	.079
Hispanic/Latino	.97 (.12)	.838
Asian/Pacific Islander	1.06 (.23)	.790
Unknown/Other	.73 (.27)	.388
Gender		
Male	1.00	-
Female	.87 (.10)	.230

⁵⁵ For each characteristic, the comparison group is indicated by an odds ratio of 1.00.

⁵⁶ There were not individuals with the Mandatory Supervision probation type in this subgroup.